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# Proceedings

OF THE

# MILWAUKEE CONFERENCE

FOR

# Good City Government

AND

# SIXTH ANNUAL MEETING

OF THE

# NATIONAL MUNICIPAL LEAGUE

HELD SEPTEMBER 19, 20, 21, 1900

At Milwaukee, Wis.

---

CLINTON ROGERS WOODRUFF, EDITOR

---

PHILADELPHIA
NATIONAL MUNICIPAL LEAGUE
1900

# NATIONAL MUNICIPAL LEAGUE

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# INTRODUCTION.

In presenting this, the sixth volume of Proceedings, it may not be inappropriate to point out briefly what the National Municipal League has thus far sought to accomplish. In the first place, the Conferences for Good City Government held under its auspices have served as annual reunions of those devoting their time and attention to the solution of municipal problems. Officials, students and public-spirited citizens have met upon common ground to exchange views and experiences. In fact, the National Municipal League grew out of the great need for such interchanges. Previous to the Philadelphia Conference in 1894, each community was working out its local problems as best it might without much, if any, thought as to what was going on elsewhere.

The Municipal League of Philadelphia and the City Club of New York conceived the idea of a conference of municipal reformers about the same time. The result of their joint deliberations was the Philadelphia Conference for Good City Government, the published volume of the Proceedings of which has long been out of print. This meeting was so fruitful of suggestions that the organization of the National Municipal League followed shortly, as a matter of course. Since then its annual meetings have perpetuated the good work auspiciously begun in 1894.

There is now a strong and growing group of men in the United States whose conceptions and ideals of municipal government have been developed and harmonized by the League, and whose activities have been guided to effective ends. Where once there was spasmodic and isolated effort, there is now intelligent co-operation. The figures referred to by the Secretary in his annual address tell the story of the growth of interest and activity in the study of municipal problems.

The several volumes of Proceedings have served as a fruitful means of disseminating and bringing the results of the meet-



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ings to the attention of those unable to be present. It may not be inappropriate to quote the words of a prominent city official who has had occasion to read the several volumes as they have appeared from time to time: "In my opinion, a copy of the Proceedings would prove of great value to every public official whose duties have a connection with the administration of municipal affairs."

The work of the Committee on Municipal Program is frequently referred to in the Proceedings of the Indianapolis and Columbus Conferences, and a number of the papers in the present volume relate to it. It is not at all unlikely that it will continue to occupy a very considerable portion of the League's time and attention, in view of the thoroughness and comprehensiveness with which it has covered the whole field of charter reform. The judgment of conservative critics, like *The Engineering News,* to the effect it would have, is being amply justified by the reception accorded to it by students and practical administrators alike.

The cases in which there has been a direct recognition or acknowledgment of the value of the League's work are numerous and gratifying; and there are undoubtedly many more in which it has been of use. It is especially noteworthy that during the past year almost every movement for the improvement of municipal charters has drawn very largely upon the ideas advocated by the National Municipal League.

New lines of investigation were instituted at Milwaukee. First, as to the question of instruction in municipal government in American educational institutions. Second, as to the question of uniform municipal accounting and statistics. Both are most important, and bid fair to occupy a large part of the League's efforts and energy during the coming two years.

The present volume contains all the formal papers read at Milwaukee, and an accurate report of the discussion of them. They constitute an interesting group, and connect past efforts with future endeavors.

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# PROCEEDINGS

OF THE

# Sixth Annual Meeting

OF THE

## National Municipal League

AND

## Eighth National Conference for Good City Government

HELD AT

## Milwaukee, September 19, 20 and 21, 1900.

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Hotel Pfister, Wednesday, September 19, 1900, 2.45 p. m. The meeting was called to order by the First Vice-President, Mr. Charles Richardson, of Philadelphia.

CHAIRMAN: I think, in view of the near approach of a national election, it may be well to repeat the statement that the National Municipal League has nothing to do with national parties or national issues. Its sole object is the improvement of municipal government. It is true that the improvement of municipal government must ultimately lead to an improvement in national government, because it tends to develop political intelligence and conscientious citizenship in voters, and because it excludes the unfit from local politics, and in that way prevents them from getting a foothold on the ladder which might otherwise enable them to climb to national prominence and national influence. But these possible effects upon the national government are so desirable in themselves, so indirect and so entirely non-partisan that they can only be regarded as additional reasons for believing that the work of the National Municipal League should receive the careful consideration and the earnest co-operation and support of the members of all parties.

The first number on our program is an address of welcome by Governor Scofield, of Wisconsin. Mr. Butler will make a statement in regard to the unavoidable absence of the Governor and also of the Mayor.

MR. JOHN A. BUTLER, of Milwaukee: *Mr. President, Ladies and Gentlemen.*—I have to say that I have received from the Governor of Wisconsin a most flattering and gratifying letter expressing appreciation and

recognition of the honor of being invited to say words of welcome to this assembly, and instructing us to place his name upon the program, with the expectation of being here. Nothing but absolute impossibility is at the bottom of his non-appearance. We all know the Governor and we honor him, and we all regret that he is not with us.

The Mayor of the city has also been unavoidably prevented from being present here, and will be represented this afternoon by General Joseph B. Doe, a member of the city government.

GENERAL JOSEPH B. DOE: When the Mayor told me this morning just before dinner that he would be compelled to draft me this afternoon to fire a salute of welcome to the National Municipal League, I suggested to him that such little acquaintance as I had with military matters led me to think that it was not usual for a salute of welcome to be fired by the Light Artillery. However, he said that we must do the best we could, and he expected me to help him out in welcoming the Municipal League. Something rather odd occurred and I might as well tell it at this point, because if I do not the Mayor will. When he said he wanted me to welcome the Municipal League I said, "Where do they play? [Laughter.] I know the National League and have some acquaintance with the American League, and I have heard of the Interstate League, but I do not know in what cities the Municipal League play ball." "Oh," he said, "you do not want to let any such break as that appear in your remarks." He said, "This is a very important body." Thereupon I immediately proceeded to study the question, and since one o'clock I have found out all about it.

It seems that the work of this body is repeating the history of the work of every body which is devoted to the purposes of reform. I take it from such information as I have been able to gather that this organization has proceeded far beyond the crank period. There never was a great reform that was not commenced amidst the storms of abuse and of scorn and derision, and I apprehend that this organization may have had some slight experience in that direction in its early history. But during the last two or three years at least the cause of municipal governmental reform has attracted so great and so widespread an attention, so close an examination, that thoughtful people no longer regard it as visionary, and so far from being an irridescent dream, it has become to the ward politician a most serious menace.

I know very little about the details of the Model Charter or the various matters which have been pressed forward by this organization. An experience of some years in the legal department of various cities (we always say various, you know, when it is more than one) has given me some crude ideas upon the subject of the legal department of cities, and taking the chance of being tedious in speaking upon matters so familiar to all of you, I want to say a word or two, because this will be my only opportunity, as to my views upon that subject. I have been in one way and another, by way of apology and excuse for mentioning the matters, connected with the law

department of the city government for some five or six years—curiously enough, perhaps, almost entirely all of the time in the accident department, as we call it; that is to say, taking care of the negligence litigation.

I have been an interested if not interesting competitor in that branch of industry which arises from the effort to obtain damages on account of accidents. I speak advisedly in calling it an industry. I need not tell members of the National Municipal League that within recent years a most flourishing industry has been built up by means of subornation of perjury and other incidental accompaniments, by which municipal corporations are bled through the negligence law. You probably all know of a very recent development, or exposure, rather, of an entire system of that kind in the city of Chicago—a well-developed gang ready at any time, for a reasonable fee, to testify to whatever was necessary to make a case. In speaking of this my purpose is to suggest what seems to me a remedy. Everybody knows that it is useless to find fault, as when I was a boy I was told once that any fool could do that, but the wise thing is to suggest a remedy if possible; and not to detain you, I will speak no longer upon that side of this question.

The remedy to my mind is to provide in the charter, and I have not been able to see it in the Model Charter reported by your committee at the Sixth Annual Session, that the head of a legal department of a city shall not be dependent upon a popular election.* It is absolutely and obviously impossible for a lawyer to become an expert in municipal law, which is a very large and rapidly-developing branch of the law, if he has to get out of office at the end of two years or even four. The prizes which are offered by way of compensation by cities are entirely insufficient to attract the best kind of material for municipal lawyers.

The head of the legal department of a city should be paid a good salary, because you cannot get a good lawyer otherwise; and further than that, his term should be a long one. I think my fellow-citizens of Milwaukee will at least give me the credit of being in earnest when I say that the remedy to be applied to this great wrong and injustice to the taxpayers will be completely met if an able, vigorous attorney, who is an expert on municipal law, be employed by the city. Of course you are all very familiar with the well-worn argument that there is no great corporation engaged in the amount of business that the city of Milwaukee is, for instance, which would think of employing a lawyer at from $2,400 to $4,000 a year. It is foolishness, and one of the purposes of an organization like this should be, and I have no doubt is, to convince the people of that fact. I need only say, as a comment upon the calibre of those who occupy the position of city attorney in a city like this, that since my appointment as Special City Attorney to care for its negligence business here, I have

*The Municipal Program provides for the appointment of the City Attorney or Corporation Counsel by the Mayor.—See Constitutional Amendment, Article III, Section 6, Municipal Program, page 182.—Ed.

been offered, in apparent good faith and as a matter of course, 25 per cent of the proceeds of litigation if I would urge the Committee on Judiciary to a reasonable settlement. I need not go further, I take it, to show that it is absolutely essential, if the city government is to be properly conducted in its legal department, that a higher class of lawyers than I was supposed to be at least, should be retained to look after the city's interest.

I think that you have a program this afternoon that will occupy nearly all the time, and I should be very glad indeed if it was desired to speak further to you upon this subject or any other which I am competent to speak upon at any time or place; but my simple duty to-day is to bid you welcome to Milwaukee. The city feels proud that you have selected it for your meeting, and hopes that in the natural course of events, not to create too much ill-feeling in other cities, that you will come around here again just as soon as possible. I shall hope to hear some of the papers at least which are presented, and shall listen to them with great pleasure, and in order that you may all feel the same way, I shall not compel you to listen to me. We thank you for coming here, and the city of Milwaukee is yours for all proper purposes. [Applause.]

CHAIRMAN: I am sure we all hope General Doe will attend our sessions. I think he will find that the point he has mentioned is practically covered by the charter.

We will have the pleasure now of listening to a response to the address of welcome by Mr. Charles J. Bonaparte, of Baltimore, Chairman of the Executive Committee.

MR. BONAPARTE: I am not exactly a conscript on this occasion, as my friend allows himself to be who has just favored us with the very interesting and edifying information that he has been able to impart, because I enlisted some time ago for an indefinite term of service, or for a term of service which has been construed as indefinite by the powers that be in this organization, in the effort to promote its work, and not having received my discharge, I was consequently subject to order when directed to prepare to respond to any and all addresses of welcome.

In reflecting upon the unimportant detail of what I should say in so responding, it has occurred to me, and I see by the speech to which we have just listened that the idea was not devoid of merit, that it might perhaps be well to tell those who did not belong to the National Municipal League but who were present on this occasion, and possibly even to tell some of those who do belong to it, just what the National Municipal League is.

I was confirmed in the idea that this might possibly be a fruitful suggestion by an incident which occurred at a recent meeting of the governing body of another one of the very numerous leagues which are now attempting to secure the salvation of the American people and in which I have done some little service—the National Civil Service Reform League.

When the question was put to one of the members, "By the way, what is is that you fellows want anyhow?" It has occurred to me that possibly some persons might think, if not put, the same question on this occasion. Now I notice that when a public man is asked that question he nearly always replies that he wants nothing, and it is an extremely bad symptom when he does so reply, because it usually means that he wants a great deal and a great deal more than it is to the public interest that he should get. To show that we have profited by the observation of the characteristics of public men in this country, I will say that we want a great deal; we want a great deal more than any one of us expects to get in our day or than we feel any assurance of getting until the millennium is ushered in. In other words we want a perfect city government; but we do not expect to get a perfect city government, because present company being always excepted; and, therefore, with the exception of Milwaukee, I doubt very much if either in America or elsewhere a perfect city government will be obtained while human nature remains what it is at present, and I think it will remain what it is at present substantially for our day at least. But, nevertheless, Mr. President, we think that a certain amount of progress can be made, not in attaining to this ideal, but in approximating to it. Now I am informed that hereabouts the Municipal Program which was adopted some years ago by the National Municipal League at one of its meetings is designated as the Model Charter. There is a very delicate compliment implied in this designation, but in order that it may have its full flavor, it must be understood that the name was in nowise given to it by the League itself, and that the committee's report, to which it refers, does not pretend to offer to the American public a model charter for any particular city either existing or imaginary, but only to submit for the further test of practical experience by a *bona fide* application some of the results of previous experience as gathered from the municipal history of a large number of American communities. One of the most prominent papers of the country slightly improved the compliment by calling it the ideal charter, though the same paper somewhat spoiled the effect of the compliment by suggesting that the fact that the League had attempted to devise one might suggest some doubts of the utility of the League. Those doubts, I think, would not be wholly unfounded if we had attempted any such impossible task.

But as a matter of fact this League originated from very modest beginnings. Some six years since some gentlemen and ladies in Philadelphia noticed the great increase in the number of organizations throughout the United States, formed for the purpose of promoting good government in one or more American cities. Without any concert between them there have sprung up by hundreds in different cities throughout this country societies whose aim was to procure honest and efficient government for their respective municipalities—not to apply some particular theory of government to the municipalities, but to see that they were conducted

economically, faithfully and in the interests of the people who furnished the means to conduct them. It occurred to those founders of this party that it might be fruitful of good to call together representatives of these various organizations from all parts of the country who could compare their experiences, mention one to another the evils with which they had respectively to contend, and seek by the mutual confidence and mutual aid which are known to be indispensable to all great achievements a remedy for at least the worst of these evils. In pursuance of this idea, eight conferences to promote good city government have been held under the auspices of the National Municipal League. Now it would take up too much of the time of this body were I to attempt to sketch, even in the most evident detail the proceedings and results of these different conferences; but there is one conclusion which was reached quite early in the life of the League to which, before giving place to those who are better able to reward your attention, I think I must ask you to give a moment's heed. I think that every one who attended the first three or four sessions of the National Municipal League must have been impressed with the fact that the evils of municipal government in the United States were substantially the same in all of our American cities. They appeared under different names, they took slightly different forms according to the special environments, but whether we heard from Portland, Oregon, or from New Orleans, or from the cities of the Eastern seaboard, or from your nearer neighbors out here in the West, substantially the same evils existed everywhere, and they were traceable in the last analysis to moral and permanent and not merely local and political causes. That being the case, we have felt—by "we" I mean those in whose labors I have taken an extremely insignificant part—that since the evils were the same, since we were contending against common enemies, we were natural allies one to the other; and, therefore, wherever we have been, throughout our migrations in the annual meetings of the League, we have waited with confidence and we have received the same cordial welcome from men and women of good-will which created the first attempt at the organization of this body six years since in Philadelphia.

To the citizens of Milwaukee I can only say, in response to the very cordial words of welcome of our friend, General Doe, that I sincerely hope they will not be disposed, when the sessions of the League are ended, to recall the invitation to come back here which has been somewhat rashly given us before they knew us so well as they then will. [Continued applause.]

MR. E. M. THRESHER, Dayton, Ohio: Before proceeding further with the program, would it not be proper to appoint a Committee on Nominations?

CHAIRMAN: It would.

MR. THRESHER: Then I move you the appointment of such committee.

The motion, duly seconded, was carried.

CHAIRMAN: I will appoint as such committee Mr. E. M. Thresher, of

Dayton, Ohio; Professor Frank J. Goodnow, of New York, and Mr. Francis B. Keene, of Milwaukee.

The next subject on the program will be "A Year's Municipal Development," by Clinton Rogers Woodruff, of Philadelphia, Secretary of the National Municipal League.

Mr. Woodruff will need no introduction to any member of the Municipal League.

Mr. Woodruff then read his annual report, entitled, "A Year's Municipal Development." (See Appendix.)

MR. FREDERICK TUKE, Cincinnati: I move that a vote of thanks be extended to the Secretary, Mr. Clinton Rogers Woodruff, for his able report, and that the same be adopted. It is certainly an exhaustive and extremely interesting résumé of the subject, and shows that he has it well in hand.

The motion, duly seconded, was unanimously carried.

THE CHAIRMAN: The report of the Treasurer will now be read by Mr. George Burnham, Jr., of Philadelphia.

Mr. Burnham then presented the following report as Treasurer of the League:

TREASURER'S REPORT.

SEPTEMBER 10, 1900.

RECEIPTS.

| | |
|---|---|
| Balance on hand November 17, 1899 | $157 36 |
| From membership dues | 1,085 00 |
| " contributions | 1,172 00 |
| " sales "Proceedings" | 227 60 |
| Total | $2,641 96 |

EXPENDITURES.

| | |
|---|---|
| For printing and stationery | $685 94 |
| " postage | 636 80 |
| " clerical work | 417 11 |
| " general expenses | 293 34 |
| " publishing Indianapolis "Proceedings" | 220 75 |
| " publishing Columbus "Proceedings" | 250 00 |
| " publishing Louisville "Proceedings" | 4 25 |
| " check returned, afterwards paid | 10 50 |
| Total | $2,518 69 |

The income of the League from all sources since the last annual meeting has been $2,484.60. The average yearly income for the past five years has been about $2,380. Of this amount an average of $1,400 per annum has

been derived from membership dues, the remainder coming from contributions and sales of the publications of the League. The League has now passed the period of "experience meetings" and criticism of the municipal conditions existing in this or that locality, and has entered upon constructive work. The report of your Committee on Municipal Program, with its outline of a charter, has met the approval generally of those interested in better municipal government. If the League is to follow up its work in this direction and seek to bring the proposed charter to the attention of American cities, and if it is to enter into new fields of research such as that of municipal accounting, it should find means of increasing its revenues. In this day the most efficient means of reaching the public are the press, printers' ink, and the mails, but our ability to use these agencies has been curtailed by our lack of means.

With the growth of the League the clerical work that is necessary to properly conduct its business has increased, adding to the expense account. The burden of supervising this work, as well as much of the work of arranging for the annual meeting of the League, and practically all of the labor of editing the annual publication of the Association, falls upon your Secretary. While the present arrangement, under which he performs all this work gratis, should not be a subject of complaint by your Treasurer in view of the generally depleted condition of the exchequer, I cannot think it is quite just right, and I believe that our budget should provide some compensation for the Secretary in view of his really onerous duties. It must not be supposed that no effort has been made to increase the revenues of the Association. The Secretary and the Treasurer have between them evolved various attractive schemes for increasing the membership roll, but thus far without any very great success, though the number of members is slowly growing larger. Some comprehensive plan should be devised for increasing the revenue and thereby the usefulness of the League, and your Treasurer respectfully suggests that perhaps this can best be brought about by the appointment of a Committee on Finance to consider the whole question.

GEO. BURNHAM, JR.,
*Treasurer.*

MR. BURNHAM: I might state that our printed Proceedings are given to our members gratis, and we sell simply what is left over.

MR. BONAPARTE: I move the appointment of a committee, to consist of two members, to audit the Treasurer's report and accounts.

The motion, duly seconded, was carried.

PRESIDENT: I will appoint as such committee Mr. Frederick Tuke, of Cincinnati, and Mr. Clarence S. Palmer, of Kansas City.

We will now hear the report of the Committee on Nominations.

Mr. Thresher presented the following report: We, the Committee on Nominations, recommend the election of the following officers to serve the National Municipal League for the ensuing year:

President, James C. Carter, New York.
First Vice-President, Charles Richardson, Philadelphia.
Second Vice-President, Samuel B. Capen, Boston.
Third Vice-President, Thos. N. Strong, Portland, Oregon.
Fourth Vice-President, H. Dickson Bruns, New Orleans.
Fifth Vice-President, Edmund J. James, Chicago.
Secretary, Clinton Rogers Woodruff, Philadelphia.
Treasurer, George Burnham, Jr., Philadelphia.

EXECUTIVE COMMITTEE.

Charles J. Bonaparte, Chairman, Baltimore.
George W. Guthrie, Pittsburg.
William G. Low, Brooklyn.
Joseph A. Miller, Providence.
Harry A. Garfield, Cleveland.
Oliver McClintock, Pittsburg.
Dudley Tibbits, Troy.
George W. Ochs, Chattanooga.
John A. Butler, Milwaukee.
Hector McIntosh, Philadelphia.
Frank H. Hartwell, Louisville.
And the officers.

Respectfully submitted by the committee,

FRANCIS B. KEENE,
FRANK J. GOODNOW,
E. M. THRESHER, *Chairman.*

Mr. Charles E. Monroe, of Milwaukee, here took the chair.

A motion was made that the report of the committee be adopted, and that the rules be suspended, and that the Chairman cast the ballot of the Association for the election of the officers nominated by the committee.

The motion, duly seconded, was unanimously carried.

The acting chairman cast a unanimous ballot for the officers and Executive Committee as named and so declared.

The Vice-President resumed the chair.

MR. MONROE: I suggest that as some of the gentlemen are accompanied by ladies and as they have not all indicated that fact on the register list they do so, as the ladies are expected to be present at the banquet on Friday evening.

THE SECRETARY: It was our original intention to have the municipal accounting papers read this afternoon, but the subject was so important that the consideration of the whole group was deferred until Friday afternoon, when the entire afternoon will be devoted to their discussion.

MR. BUTLER: The banquet room of the hotel will be at the service of the Convention for to-morrow morning's session.

I would like to add to the statement already made that the meeting this evening will be held at the Pabst Theatre, on Oneida street, two or three blocks away from this hotel, near the City Hall.

MR. TUKE: As the Ohio Municipal Code has attracted much attention at the last convention and elsewhere, I have prepared a short report on the subject. As I am from Cincinnati I thought it would be well to state why the measure had been defeated, and probably try to offer a few suggestions as to how to revise it and keep up the agitation. I will read that report if you have no objections.

Mr. Tuke then read the following paper:

## THE OHIO MUNICIPAL CODE.

At the last annual convention of the National Municipal League at Columbus, Ohio, very much attention was paid to the Ohio Municipal Code by the delegates present, and we all hoped that the Ohio representatives in 1900 would be able to report that the Ohio Municipal Code had been enacted into a law by the last session of the State legislature.

But unfortunately such is not the case. The report of the Ohio Commission was sent to the legislature by Governor Bushnell, with a strong recommendation. The legislature, without giving it much serious consideration, passed the measure in the latter part of the session in the senate, but to the surprise of many the vote was reconsidered before the same day was over, and there it rests to-day.

It would be entirely wrong to give up the hope of passing such a reform measure in the future. Steps have already been taken for an active campaign in favor of its adoption at the next session of the legislature.

The Taxpayers' Association, which I have the honor to represent, has already appointed a committee, to work in conjunction with other organizations, in order to educate the public properly on this subject, and also to re-examine the report with a view of a reconstruction wherever necessary. It will also be necessary, in order to insure success, that steps be taken to elect only such members of the legislature as will support such a measure, and all this can only be done through organized efforts.

The worst obstacle in the way of the adoption of the Ohio Municipal Code was the fact that all friends of the measure were not of one mind. Some of the reformers laid all stress upon the uniform classification, and were even willing to drop the merit system, which, according to my opinion, is the most essential part of the whole code, as also the non-partisan ballot, in order to get the classification.

I heartily agree with Hon. W. D. Foulke, who said last year: It is more important to have honest and competent officials than anything else,

as good officials will bring about economical government under any classification.

The clause providing for municipal ownership also caused strong objection. It was but natural that all large and influential corporations were opposed to this. But there were also those who, in a disinterested way, were opposed to this part of the code, on the ground that after municipal ownership had been inaugurated the merit system might be abandoned by the activeness of the politicians, which, as they fear, would leave the municipal plants in the hands of the politicians for revenue only, who would divide the fat positions without considering ability or honesty to the detriment of every other interest. It is my opinion that if civil service is once adopted and given a good trial the public will demand its continuance.

In order to succeed in any reform movement a strong public sentiment is required, and to bring this about a strong organization is required of the unselfish class of independent citizens, so as to educate the entire public about its advantages.

If a large number of positions were created with its adoption there would be plenty of active support by those expecting to benefit by it, but as there is nothing to hold out for the spoils politician, we have them all against us, although the great majority is in favor of good government; but as that class never took any active part in politics, they are hard to arouse.

It is earnestly to be hoped that after the next session of the Ohio State Legislature the representatives of Ohio will be able to report that the Ohio Municipal Code, framed very much after the model of your Program, has been adopted, and is bestowing its benefits upon every city in the state.

We hope that the time will come when every state in the Union has heeded the beneficial advice of the National Municipal League in adopting a measure framed after the model of the National Municipal Program.

MR. TUKE: We formed an association from the different bodies in Cincinnati, the Taxpayers' Association, the Chamber of Commerce, etc., but our action it seems was premature. It takes two or three years to educate the public. They do not understand and do not pay attention or take interest in these matters. Politicians are always scheming to create offices and get more jobs, and while four-fifths of the public are in favor of the Municipal Code, or anything for reform, yet they stay at home while the politicians are active and try to prevent its passage. You must get the taxpayers and the better class of citizens to co-operate to elect such men as will support the measure, and that must be done in advance.

MR. BONAPARTE: What is the present condition of the bill?

MR. TUKE: It passed the senate, but later in the evening of the day of the passage of the bill the large corporations brought their influence into play and had the bill reconsidered while some of those who supported the bill were absent. It did not get to the house at all. Unless a special

session of the legislature were called, it would be impossible to get it through until the next regular session of the legislature.

THE SECRETARY: The defeat of the bill was very cleverly manœuvred The bill was passed in the senate, and then later in the evening, when its supporters had left, a motion was made to reconsider, which was carried, and the bill then defeated.

MR. TUKE: A new bill will be drawn with some of the features, which by certain persons are deemed objectionable, eliminated, and will be presented to the next legislature. We believe the public will then probably demand its adoption.

An adjournment was then taken until 10.30 a. m. Thursday.

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PABST THEATRE,
Wednesday, September 19, 1900, 8 p. m.

CAPTAIN I. M. BEAN presiding.

THE CHAIRMAN: It would be a very bad thing indeed were it not possible to congratulate an audience upon something, and I have great pleasure in congratulating you this evening in that the theatre is not overcrowded, and that you will, therefore, be entirely comfortable, that in case of fire or other casualty there is not the slightest danger of any harm coming to you. The inclemency of the night and a counter attraction, a very powerful one in the way of a large Republican mass meeting, account in a measure for the paucity of numbers here this evening. I suppose, to be entirely fair, it may as well be said that the topics which are to be discussed are not of a sensational order, not those that would appeal to the uninstructed citizen, indifferent as to whether he lived under good or bad laws. To what I may call the saving remnant, to that portion of the community intelligent and unselfish enough and loving their country enough to appreciate the inestimable value of good municipal government, they will prove interesting. Some one said long ago that if he might have the privilege of making the ballads of a nation he would care not who made the nation's laws, and I think it might be said with rather more certainty that if one might have the privilege of making the charters of every city in this state or in any state, that he would care little who made the laws at the capital of the state, or, for that matter, at the capital of the nation, because once the municipal governments are thoroughly reformed and purified there would inevitably flow out from such a wholesome spring such influences as could not be resisted at the national capital. It would leaven the whole mass, and result in far better things in every way. Now, you are aware, it is known, and happily it is becoming very generally known, that an association known as the National Municipal League exists. It was organized several years ago in the city of Phila-

delphia, and has been holding conventions annually in the different cities of the country, and honors this city this year by holding its annual convention here. It has been organized and the movement has been promoted by men who have made the study of municipal affairs a specialty, who have given freely of their time and labor in a most unselfish manner, that this all-important reform may be brought about.

In the order arranged this was to be Wisconsin night, and the topics to be discussed were supposed to apply more directly to this state. The first speaker is our well-known citizen, the Hon. Joshua Stark, known for his learning and probity and for the fact that he has long made the study of municipal law a specialty. His subject is, "The New Municipal Program and Wisconsin Cities."

I have the honor and the pleasure of introducing Mr. Stark.

Mr. Stark then read a paper entitled, "The New Municipal Program and Wisconsin Cities." (See Appendix.)

CHAIRMAN: The title of the next paper is the "Improper Influence on Legislation by Public Service Companies," by John F. Burke, Esq., a prominent attorney of this city. I have now the pleasure in introducing him.

Mr. Burke read a paper on the "Improper Influence on Legislation by Public Service Companies." (See Appendix.)

CHAIRMAN: The subject of the next paper is, "Primary Election Laws," by Dr. Amos P. Wilder, editor of the *Wisconsin State Journal.* I have now the pleasure of introducing Dr. Wilder.

DR. WILDER: You will not allow my friend, Mr. Burke, to monopolize all your sympathy. He has been hampered by lack of time in the preparation of his paper, and more than that, what he did not tell you, he has just arisen from a sick bed; but my case is more serious. I was never in better physical condition. The summons for this paper came to me last spring when the robins were nesting again, and my embarrassment arises from the fact that while I live in a quiet and virtuous community of twenty thousand inhabitants, yet I am called here to confront the representatives of large and wicked metropolises, and to discuss the iniquities of the caucus and the cure thereof. It has been said that the strength of James G. Blaine, the debater, lay in that he could at any moment rally anything he had ever known or read for use on any particular occasion. My duty seems to be to rally before you everything that I do not know about this subject. [Laughter.]

Those of you who have heard and made the programs of the conferences of this organization of growing power will learn little from this paper to-night. I am frank to say that in preparing it I have had in mind our own Wisconsin constituency. It is believed by some of our own people that Wisconsin is no laggard in the matter of nomination reform. The law of 1897, latterly repealed, even went so far in advance as to admit of free nomination, but our laws at present are unsatisfactory and confusing.

However, in view of recent events, it is not at all unlikely that Wisconsin will soon be conspicuous at least in the matter of nomination reform.

Dr. Wilder then read a paper on "Primary Election Reform." (See Appendix.)

CHAIRMAN: That is the last of the addresses. You will all agree with me that they have been very interesting and instructive. [Applause.]

Upon motion adjourned.

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HOTEL PFISTER,
Thursday, September 20, 1900, 10.30 a. m.

CHARLES J. BONAPARTE, ESQ., Baltimore, presiding.

THE CHAIRMAN: Before taking up the topics set forth in the program for this morning there is a little matter of business which I have been requested to lay before this meeting by the Executive Committee. The Committee recommends that three slight amendments be made in the By-Laws adopted by the Board of Delegates. They all relate to the constitution of the Executive Committee itself. By the first section of the third article of the By-Laws it is provided that at each stated or annual meeting of the board held in connection with the annual conference, the board shall elect eleven delegates as an Executive Committee for the ensuing year. The Executive Committee recommends that the words "or more" be added after "eleven," so as to make eleven the minimum number to be chosen, and to leave the Board of Delegates at liberty to elect a larger number to the Executive Committee if that is deemed advisable.

Then in subsection "f" of Section 3 of the same article, among the powers enumerated as possessed by the Executive Committee is one to fill vacancies in its own numbers. It is proposed by the Committee to add to this the power to add to its own number from time to time should that be deemed advisable, so that the subsection in question would read, "to fill vacancies in or to enlarge its own numbers from time to time as may seem expedient."

Finally in Section 4 in the same article where the quorum of the Executive Committee is fixed at one-third of the number, which now means four, the number being eleven, the Executive Committee proposes to substitute four members for one-third, so as to retain the present quorum with a possibly enlarged membership of the Committee.

A motion was made, and duly seconded and carried, that the amendments which the Chairman had explained be adopted.

THE CHAIRMAN: The first order of business this morning is a paper on the question, "Does the New Municipal Program Confer Dangerous Powers on the Mayor?" by Charles Richardson, of Philadelphia, Vice-President of the National Municipal League.

Mr. Richardson then read a paper on "Does the New Municipal Program Confer Dangerous Powers on the Mayor?" (See Appendix.)

THE CHAIRMAN: Before submitting the paper that has just been read for discussion, I am informed that another paper, assigned originally to another portion of the program, bears directly upon the same question which has been discussed by our friend, Mr. Richardson, the paper being entitled, "An Essential Safeguard to Executive Responsibility," by George McAneny, of New York City, Secretary of the National Civil Service Reform League. Mr. McAneny is unfortunately unable to attend the conference by reason of illness, but the paper will now be read to us by Clarence S. Palmer, Esq., of Kansas City.

Mr. Palmer then read Mr. McAneny's paper on "An Essential Safeguard to Executive Responsibility." (See Appendix.)

THE CHAIRMAN: It seems that, in regard to these papers, there is the same objection to a very lively discussion that has sometimes been urged to society in heaven. It has been suggested that as all the angels thought alike it must be rather tiresome. I am afraid that we shall hardly find anyone here that is disposed to discuss, at least in an adverse manner, the propositions contained in either of the two very interesting papers to which we have listened, and they hardly need further endorsement. Nevertheless if any lady or gentlemen desires to be heard on the subject I shall be most happy to give them the floor for the time limit stated on the first page of the program, and for which I am personally in no wise responsible.

REV. WASHINGTON GLADDEN, Columbus: It seems to me that the next two papers bear so directly on the same topic that it might be well to have them read before calling for discussion. I think that many of the wise and pertinent things we might say in discussion will be found better soid in the papers.

THE CHAIRMAN: It is hardly likely that that could happen, but at the same time I think the suggestion a very excellent one, and in the absence of any objection on the part of those whose eloquence may be cut off, I will ask Mr. John A. Butler, President of the Municipal Association of Milwaukee, to read a paper on "Some Essential Features of the New Municipal Program."

Mr. Butler then read his paper, entitled, "Some Essential Features of the New Municipal Program." (See Appendix.)

MR. BUTLER: We are very anxious to entertain all of our friends, but not all of our friends who have come here have considered themselves delegates. Therefore I wish to say that all who have come to the city of Milwaukee to attend these meetings will be welcome at our banquet, both ladies and gentlemen, whether they come as representativss of organizations or not. There will be speaking by our friends, Bonaparte, Foulke, Woodruff and others, at eight o'clock, and social functions later in the Athenæum this evening.

THE CHAIRMAN: Owing to the fact that time keeps flying, which is the habit of time and not an altogether bad habit, both of the two remaining papers placed on the program have been postponed until the afternoon

session. The paper just read has had the very great merit, as it seemed to me, in following it, of suggesting possibly some subject-matter for discussion to some lady or gentleman present, and if such is the case, I shall be most happy to recognize anyone who desires the floor. I trust that all members of the League will remember that excessive modesty is a great drawback to utility as a reformer. [Laughter.]

Hon. William Dudley Foulke, Richmond, Ind.: It seems to me that the value of the paper just read lies largely in the fact that it calls the attention of the legislature and the people to the fact that the new Municipal Program was not evolved out of the inner consciousness of those who have prepared it, but that it has been evolved out of practical experience, which is simply putting together in a more perfect shape than ever before, what has met the approval of the past. I would like to call attention to the fact that our federal constitution was practically established in the same way; that is, it was based upon antecedent experiences which were eminently successful. In the few matters in which the fathers of the country presumed to create something, as, for instance, the electoral college, it proved a dismal failure; in other words, great reforms always go ahead step by step. We can combine what has been done before into a more perfect whole, but at the same time if we start out to do a particular thing that has never been done before, we had better proceed very slowly. I think the value of the paper read consists very largely in calling forth the fact that the Municipal Program is an embodiment in concrete form of things that have been tried at different places at different times and found to be successful.

Mr. George E. Hooker, of Chicago: I should like to be satisfied as to the advisability of the election of municipal assemblies in thirds. The Program provides that one-third of the members shall be elected at a time, and the only reason urged in behalf of that provision is that this would result in keeping men of experience in the body. Now the question might be asked, Why should not that be left to the judgment of the people? Why should they be forestalled in their free choice, which, as the gentleman who read the paper said, often results in sending back year after year, or term after term, the same men? Now it seems to me that by electing the council in thirds, the importance of the election is reduced, perhaps not in the same proportion, that is to one-third of what it would be, but it is materially reduced. An election of one-third of a city council is a much less important and stirring matter and one that excites much less attention on the part of the people, than the election of an entire council, and the object, it seems to me, always is to excite as much attention as possible in a community. We know that when a mayor is elected, when we have an election which draws the attention of the entire electorate, and creates a great deal of discussion, that we get a better result than when a less amount of attention is given.

I think it is the practice in some of the most important foreign cities,

as in London, to elect the entire body at once, as, for instance, the London County Council and School Board.

MR. BURNHAM: It seems to me inadvisable to re-elect the whole body at once, as there might be nobody in the council when it assembled that would know what was to be done. There might be no membership that could induct the other members into their duties. They would have to begin *de novo*. It may be doubted whether it would be wise to elect such a small portion at a time; possibly one-half would be the proper percentage. I think it would be inadvisable to have a single council elected entirely anew each time.

MR. PALMER: I do not feel like speaking about a question of detail, but it seems to me perhaps a happy medium would be to elect half of the council, or practically half of it at each election. It does seem to me that at every city election when the Mayor is elected, the people should have a chance to determine the policy of the government for the succeeding term. They ought to have an opportunity to pass upon the efficiency of the work of the past administration, and say what kind of administration they want next. They cannot do that if they change only one-third of the council at each election. If they changed half the council they could practically do it. At home we have two houses; the upper house is elected for four years, and half of the members are elected every two years. The plan works very satisfactorily. I think there would be one loss in omitting a representative from each ward. The practical experience is that so far as local needs are concerned, the property owner who wants his street fixed or sidewalk laid goes to the representative of that particular ward, and the councilman whose responsibility is to his neighbors, and is not spread over the whole city, takes apparently a greater interest in the matter than he otherwise would. We have not found the two houses burdensome. We know of some cases where vicious legislation has certainly been prevented by the fact that there have been two houses.

MR. A. B. DUNNING, Scranton, Pa.: The experience of Scranton is similar to that that the gentleman has just remarked. One-half of the council is elected each year, the even number of wards in one year and the odd number the next year. The legislation of the State of Pennsylvania in regard to cities of the third class, and I may cities of the second class, is very defective, but we have found that this matter of having half of the council remain in part of the time has been satisfactory. I do hope and trust that the Municipal Program will be carried out in Pennsylvania, and that the Legislature of Pennsylvania will take it up and adopt it before the city of Scranton enters upon its duties as a city of the second class, which will be in a short time, as Scranton has reached the population which makes it eligible to that class.

MR. RICHARDSON: An argument in favor of electing only a portion of the council at each election is that the people may have a chance for a second thought. They are sometimes misled and not fully posted as to

what is being attempted, and an entire change in the character of the council, in the measures which it stands for, might be very injurious, whereas if it took two elections to change the majority of the council, the people might decide more wisely, and decide better on the second election, and avoid mistakes in that way.

In regard to ward representation, the effect of it has been in a great many places that each member represents the particular needs of his ward, and he makes a bargain with the other members that if they will vote for his measure he will vote for theirs, without any reference to the character or the value of theirs, or on their part without any reference to the character or wisdom of his; and that is the only way that he can get things through for his ward; it is a matter of bargain and sale. That has been one of the most mischievous features of our legislative assemblies.

MR. JOHN DAVIS, Detroit: I think that all these matters, such as having part of the council elected at a time, can be settled by the local government, the choice being made according to the thought of the people under the home-rule system. For our own city of Detriot we have found that two houses did not work well; that the upper house rather got into a rut and really performed no essential function in the government. We elect our council one-half one year and one-half the next, and we find that that conserves the interest of the city in a measure, and is also sufficiently desirable from the point of view of rotation. There is one seeming inconsistency in the last paper read, in claiming that it may be necessary to adopt all these provisions of the Program, and in the thought which has been persistently set forth here that it is not advisable to effectually enter in upon all these reforms at once. It seems to me that the real essence of this Program lies in nomination reform. Whether that provision which makes petition alone the way to nominate is wise is a question in my own mind which I would like to have settled, and would like information and enlightment upon, or whether a non-partisan primary would be the better form and means of obtaining proper candidates for office. Under the petition system it is just as possible for the ward-heelers, as they are called, to make the nomination as it is now. I believe that all primary schemes on a non-partisan basis provide for a petition previously, which gives publicity to the name of every one who expects to be a candidate for nomination, virtually making three elections, the petition, the primaries, and the subsequent election. If the petition rule will effect the whole remedy, that is the one to adopt, but I am not clear in my own mind that it will.

CHAIRMAN: Before closing the session I have two communications which have been presented to the League, the first from Denver, Colorado, inviting us to hold our convention there.

It is as follows:

DENVER, COLORADO, September 8, 1900.

*Mr. Clinton Rogers Woodruff, Secretary, National Municipal League.*

The Civic Federation of Denver, appreciating the honor of affiliation with the National Municipal League and having derived inspiration from its published reports, most heartily extends an invitation to the League to meet in Denver in 1901.

The bluest skies, the clearest atmosphere, and an unsurpassed view of the Rocky Mountains, are among the attractions of the city, while the numerous railroads place the visitor in close touch with the mines that help to make the Centennial state famous.

The Federation promises to make the sojourn of the League as enjoyable an occasion as possible if this invitation is accepted.

ISABELLA M. STECK,
*Secretary.*

THE CHAIRMAN: I have taken great pleasure in reading this letter, and I suggest that it be referred to the Executive Committee, as that body has the somewhat invidious task imposed upon it by the By-Laws and from the practice of the League of passing upon conflicting claims of various hospitable localities.

The communication was referred to Executive Committee.

THE CHAIRMAN: The second communication is the report of the Auditing Committee, which is as follows:

MILWAUKEE, WIS., September 20, 1900.

*To the President and Members of National Municipal League.*

GENTLEMEN:—We the undersigned committee chosen to audit the accounts of the Secretary and Treasurer of this League, beg leave to report that, after an examination of same, we find everything correct and the receipts and expenditures are properly reported.

We further recommend that the suggestion of the Treasurer regarding some compensation to our very able and untiring Secretary be adopted, and that the League at this Convention or through its Executive Committee fixes a salary for the Secretary at least to some degree commensurate with the extraordinarily able and unselfish services rendered to the National Municipal League.

Respectfully submitted,
FRED. TUKE,
CLARENCE S. PALMER,
*Committee.*

THE CHAIRMAN: The Secretary has obtained an injunction preventing me from reading that portion of the report which refers to his office, and as I am a believer in government by injunction, of course I obey the mandate. I nevertheless suggest that this portion of the report, in the recommendation with which I most cordially agree, be referred also to the

Executive Committee, which has the further duty imposed upon it of finding ways and means, so far as it can, of giving effect to the liberal and charitable as well as just suggestions of the members of the League.

MR. MONROE: I move that the report auditing the accounts be accepted, and that the recommendations of the Auditing Committee be referred to the Executive Committee.

The motion, duly seconded, was carried.

An adjournment was then taken to 2.30 p. m.

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HOTEL PFISTER.
September 20, 1900, 2.30 p. m.

The meeting was called to order by the Vice-President, MR. CHARLES RICHARDSON.

CHAIRMAN: I am sorry to interrupt so many interesting conversations, and I am sorry that I cannot ask all who are with us this afternoon to take seats, as there does not seem to be seats enough. Our program this afternoon includes an address on "The Influence of Public Service Companies on City Government," by Rev. Dr. Washington Gladden, of Columbus, a member of the Columbus City Council, also a paper on "The Government of the City of Glasgow," by the Rev. Albert Lazenby, of Chicago, recently of Glasgow, and a paper on the "Representation of Different City Interests in the Council," by the Hon. William Dudley Foulke, of Richmond, Ind. I think that you will find that the program from beginning to end this afternoon is one of very unusual interest.

I now have the great pleasure of introducing one who really needs no introduction, the Rev. Dr. Washington Gladden, of Columbus.

Dr. Gladden read his paper on "The Influence of Public Service Companies on City Government." (See Appendix.)

THE CHAIRMAN: Mr. Lazenby, will now read his paper.

Mr. Lazenby read his paper on "The Government of the City of Glasgow." (See Appendix.)

THE CHAIRMAN: I take pleasure in introducing the next speaker, Mr. Foulke.

MR. FOULKE: It was said of the papers this morning that they were of such a character that we all agreed with them, and they awakened very little discussion. Now I am quite sure that in some propositions which I shall submit to you this afternoon there will be substantial disagreement; indeed, some of the remarks made in the morning session indicate it, but perhaps on that account the suggestions will not be the less valuable.

Mr. Foulke then read his paper on the "Representation of Different City Interests in the Council." (See Appendix.)

A letter from Archbishop Ryan, of Philadelphia, regretting his inability to attend, was read by the Secretary.

Adjourned to 10.30 a. m., same place, Friday, September 21, 1900.

ATHENÆUM, MILWAUKEE, WIS.

Thursday, September 20, 1900, 8 a. m.

Proceedings at the reception to delegates by the ladies of the Milwaukee College Endowment Association, GENERAL CHARLES KING presiding.

GENERAL KING: *Ladies and Gentlemen.*—It was the unanimous wish of the Endowment Association that not only they themselves but their guests to-night should have opportunity to hear some of the distinguished gentlemen who have honored Milwaukee with their presence at this important convention of the Municipal League. The response has been most kind and courteous, and I propose to tempt neither Providence nor your patience by any preliminaries whatever, but to introduce to you at once the first speaker of the evening, an eminent Baltimorean, long time prominent as a member of the bar, a pillar in the work of Civil Service Reform, the distinguished bearer of a distinguished name, Mr. Charles J. Bonaparte. [Great applause.]

MR. BONAPARTE: *Ladies and Gentlemen.*—When I was told that I should have an opportunity to address you this evening I was not told on what subject I should speak. I think this was an unfeeling and I fear a fatal omission. Nevertheless, being left to my own devices, I can think of nothing better than to draw what seems to me an appropriate moral from an incident which occurred at the birth of the National Municipal League.

We had held the first conference for good city government in the city of Philadelphia, from which I suppose you all know that the National Municipal League, together with the Declaration of Independence and other good things, and other things that are good in a conventional sense, have originated. On that occasion during the discussion a lady with whom I was not then so fortunate as to be acquainted, appeared on the platform beside the presiding officer, and in a manner which it would be very ungallant to call aggressive, and which I will therefore call impressive [laughter], said that she had come forward to ask us a question, and the question was, "Did we want the aid of woman in our work?" I supposed that any question which comes from such a source must be a wise one; nevertheless, this struck me as a very strange question. I do not know whether anyone undertook to answer it: according to my recollection nobody was so bold. But it seemed to me very much the same thing as though you were to ask a person whose house was afire whether he would be offended if you threw a bucket of water on the flames. [Laughter and applause.] Of course, ladies and gentlemen, we want the aid of woman in our work; why, we want the aid of everybody, and, if of everybody, especially of her. In the first place it is a good work, and it is her special province to help all good works; and in the next place it is a work that interests everyone in the community and not merely one or another class in the community, although I must admit that at first sight I cannot see how any cause that would interest and benefit the men of the community could fail to benefit

the women; but, however that may be, it is quite certain that the work which the National Municipal League was formed to do, and that which it has done as well as its rather limited resources and the very great imperfections of those who have had the somewhat perilous honor of directing its operations have permitted, is a work which tends directly to the benefit not only to the women as members of the community, but also to women in so far as we can imagine that they have any distinct interests of their own. One purpose of the League is to have, if possible, clean streets in American municipalities. I need not point out how that interests ladies. [Laughter and applause.] Another object is to have the best kind of schools: that certainly interests the present generation of women in one way and a future generation in another. It is also the purpose of the League, so far as its resources and ability permit, to promote economy of civic administration; now the taxpayer is the great enemy of expenditure for comfort, elegance and beauty in the household. Those are some of the very small and rather unworthy grounds on which we might ask the ladies of Milwaukee to do what they can to promote our work. But there is a greater and worthier way of placing the matter. We are endeavoring, in a very humble way, but still in a way which, so far as it goes, will, I hope, prove effective for good and not for evil—we are endeavoring, I say, to raise the moral tone of the community in regard to a most important branch of its government. The result of our labors, so far as they may be crowned with success, is to have better, worthier men in public office, to have the people's business well done and done at less cost to the people; to have vice and crime and misery, so far as it lies within the powers of government to control these things, restrained and diminished, to have the cities of the country made worthy of the habitation of free men, and the people who live in them and govern them made worthy of the respect of mankind; I feel that if we can, without presumption, avow that we have aims such as these, we may also reasonably ask the aid, not only of all men but of all women, of good-will in our work.

Now if you ask me *how* you can help it, it would detain me too long to give you a detailed answer, but there is one thing in which you can certainly aid us and which will be of great potency if really and heartily adopted, I am very confident that anything which the great bulk of the women of this country wish will be brought about. That of course does not mean that something will be brought about that one woman in a hundred wishes and the other ninety-nine, or at least a considerable proportion of them have not even thought about; but if you can get the great bulk of American women to really want to see their sons and husbands, and lovers and brothers, and all the men with whom they are brought into intimate relations really worthy to be considered good citizens of a free country; if you can make that not a matter over which they are willing to go to sleep while somebody else is talking, but a matter as to which they feel strongly and seriously, and always, then you will have made an

immense step towards attaining the end you have in view. When it is the wish of the women of this country that it shall be inhabited by good citizens, and when they wish this strongly enough to do what they know best of all how to do to bring it about, then it will come, and I trust, ladies, that although I am no longer as young as I once was, I may yet live to see one stage at least towards the accomplishment of that end. [Applause.]

GENERAL KING: Second on our list I have the honor to present a wheel-horse of the Municipal League, long its Secretary, prominent in society in the Quaker City and a power in the politics of Pennsylvania, Mr. Clinton Rogers Woodruff, of Philadelphia. [Applause.]

MR. WOODRUFF: I am pleased that I am second upon the list of speakers and not any further down; because if I were third or fourth and each speaker should take as much of my speech as Mr. Bonaparte has taken, I should have very little left to say.

Mr. Bonaparte, on the several occasions that he has spoken before the Conference, and upon this evening's occasion, has mentioned the object of the National Municipal League as being that of promoting a better municipal government by promoting a desire or demand therefor. Now, I do not believe that woman's relation to that object is any different from man's. By that I mean that I do not believe that the problem which presents itself to women is any different from that which presents itself to man, but that we are all, as citizens of this country and of its cities, interested in bringing about a public sentiment in favor of better municipal government.

We have with us our Treasurer, Mr. Burnham, whose business it is to make locomotives. Mr. Burnham makes most excellent locomotives, but how little those locomotives are worth without the engineers, and without the steam which those engineers put into them. You have heard, and we all have heard, not only upon this occasion but upon a number of other occasions, of the Municipal Program designed for American cities, and wrought out after a careful study of American conditions; but how useless is that American Municipal Program, adopted by the National Municipal League, without the steam of public sentiment; without the engineer back of it to put it into operation.

We have in Pennsylvania a law, known as the law of 1794, which prohibits the performance of worldly employments upon Sunday, except works of necessity. That law is practically a dead letter, however, except in occasional instances; and why? Because the public sentiment of the state is not strongly behind it. The public sentiment is gone, but the law remains. It lies useless upon the statute book until you can get somebody to put public sentiment into it. So you may have the most perfect charter which the mind of man might devise, but without the steam of public sentiment in that charter, without the demand on the part of the people that the provisions of that charter be put into force and effect, you will have made no

progress. In other words, you cannot have good city government until you have a sentiment for good city government, and you cannot have a sentiment for good city government unless the men and women of the city want good city government. When they want good city government then will come that sentiment for good city government which will very soon find a means of working itself out. And so in its essential analysis, the problem which confronts men in the matter of municipal reform is the same as that which confronts women.

It may be that there are some differences among us as to how women can best effect the creation of public sentiment. They can do it in precisely the same way as men do it, by making it a matter of constant thought and consideration; of constant discussion. As I had occasion to say yesterday in the annual report which I presented to the League, what we all need here in this country is a realization of the fact that reforms come slowly; that they come slowly because public opinion along definite lines is formed slowly. If we who are here to-night, perhaps 200 or 250 in number, were to try to come together upon a definite plan of work of any kind, social, religious, political or economic, we would find before us a task sufficient to occupy us perhaps all the remainder of this year, and then we might not have reached an agreement. We must appreciate that formation of public opinion which touches and affects, not hundreds, but thousands and tens of thousands and hundreds of thousands of people of varying antecedents, education and capacity is a difficult problem.

I have often thought that women have an opportunity to promote or create or form public sentiment which men do not have. For instance, in the particular division of the city in which I live, in Philadelphia, I have much difficulty in reaching men, so that I may have an opportunity of convincing them of the importance of municipal reform, and getting them to vote their convictions. I may go to visit them at their places of business or homes, and I will find that they are engaged along various other lines, social or business or perhaps religious; and so I have to go away and return, or else run the risk of not getting a chance at them. If the women made up their minds to get hold of the men of their household and influence them, no amount of social or domestic or religious or political engagements would bar their way. They would get their opportunity sooner or later. So I hope the time will come when the women of this country will realize the immense and vast importance of this question of good city government, and will make it their special duty to see that the men of their household realize that importance and realize their duty in connection with it. Women can do that whether they have a vote or not. If they have a vote they can perhaps help along other lines, but it does not depend upon woman's suffrage or anything but a willingness on the part of women to co-operate efficiently in this matter.

I thought I might have something to say on what the women have actually done in the way of helping along the cause of better city government

in this country, but that would be a long task and would far exceed the limits of your patience, most generous as they are, and it would far surpass the most generous bounds of your most generous hospitality even to attempt to show what women have done in some communities with which I am familiar. In Philadelphia, for instance, women became interested in securing needed educational reforms. I will not detain you by telling you how badly we are off in regard to some of our school laws, but the women have taken those laws, bad as they are, and have brought about certain definite reforms, by their very insistence. Women are persistent critics even if they are not always persistent partisans, as I am told they are not in Colorado, that rather they are good non-partisans. I only hope they will be as persistent non-partisans as they are persistent critics. So in Boston, New York and many other cities the women have taken hold of the educational problem, one of the most important problems that confronts us in the study of American municipal conditions, and by the very persistence of their efforts, have brought men, who are intelligent perhaps but who are interested only in a general way, to realize what before they had only in a general way recognized, the necessity of concrete, definite action to bring about needed reforms.

So with street cleaning, to which Mr. Bonaparte referred. Many cities have been improved in this respect through the activity of women. They call the attention of the authorities to the fact that the streets are dirty. After repeated attempts they find that the streets are still dirty, and that the means taken by the authorities are ineffectual; but they keep at them so persistently and intelligently that the result is a great reform. While of course it is true that clean streets do not constitute all the problem of good city government, nevertheless clean streets are essential and important.

Take the question of public baths. Women have taken upon themselves to see that those of our citizens who perhaps are unfortunate in not having the means of bathing at home, shall have them supplied by the city. While perhaps a bath more or less to a man may not mean much, the community has less to fear from a clean citizen than from a dirty one; and the women who are engaged in introducing these public baths throughout the various cities are doing something definite and concrete; something helpful.

These are simple matters in their way, yet you will find as a matter of fact that many a person's interest in good city government begins with some small thing, such as these. I know a man in the city of Philadelphia who is now one of the most active and generous supporters and contributors to the cause of better government there, whose interest began in so small a way as seeing that the garbage and ashes along his street were properly collected. He got interested in seeing that the contractors whose duty and business it was to remove garbage and ashes, and for which they were paid, did that thing. He soon saw that that was part of the greater problem. He worked on step by step until he had come to have a broad, general, comprehensive and deep interest in all that pertains to the

municipal affairs of Philadelphia. So the women, if they take hold of these small things, will gradually, little by little, but very effectually, come to a broad comprehension of the great problem which is confronting both the men and women of this country in our municipalities, and of the necessity of solving it. The next step will be very easy, that of interesting the other members of their household in the problem; because the women are never interested in anything unless they talk it over thoroughly in their homes; and that is the place where we must make public sentiment. So I believe that along these lines women have a relation to municipal reform which is precisely the same as that of men, and one which they can make most effective.

We can discuss all of these questions, however, without any reference to some of the differences of opinion we may have as to whether or not the women themselves should join with the men in carrying out this public sentiment when once it is formed. That I shall leave for others to consider, but I do want to dwell upon this point and reiterate it, that the women, not only of Milwaukee, but of the United States have a great opportunity in educating public sentiment. No law can long exist and be effective which does not represent the public sentiment of its community. Those of you who may have attended the meeting yesterday afternoon will recall that I mentioned New Orleans. New Orleans in 1895 won what was at that time considered a great municipal reform victory, and it was. I think they indicted and convicted seventeen aldermen and sent them to prison for long periods of years, and they drove the mayor out of town; that is, he had to leave the jurisdiction of the court to save himself from prosecution. They elected honest and intelligent men to take the place of these rascals, who had so abused the trust reposed in them. But what did the men who were responsible for the reform victory do? They put upon the statute book a lot of laws for which the public sentiment of New Orleans was by no means prepared. They went far in advance of the public sentiment. They thought to introduce the political millennium by the enactment of laws, and what was the result? The people were not prepared for the millennium. It is like a man trying to run a mile race who has not been trained for it. The people of New Orelans were not trained to live up to so exalted a standard as was set in those laws, and what was the natural result? There was a reaction and the old gang and the old ring and the old principles have come back into force and operation, and the good citizens down there are now feeling discouraged. Why? Because they went at it the wrong way, by the wrong end, and adopted the laws first and forgot all about public sentiment. Now, create your public sentiment and your public sentiment will very soon find a way of working itself out and putting itself into force and effect; and in the matter of creating and forming public sentiment the women have quite as large an opportunity and quite as direct and great a responsibility as the men. I hope that the ladies of Milwaukee will realize that they have as great a

part in the solution of the municipal problem as the men, and that their part in that does not depend upon whether they have the ballot or not, but upon their co-operation with the men in producing that public sentiment which when once formed will very quickly bring about a solution of the much-mooted municipal problem in this country. [Applause.]

GENERAL KING: Third on the list I have great pleasure in presenting to you another earnest, eloquent worker in the League, one who in addition to all the effort he has given in that direction has found time to serve as a prominent member and senator in the legislature of his great and thriving ing state, Mr. William Dudley Foulke, of Indiana. [Applause.]

MR. FOULKE: While I fully concur with my friends who have preceded me as to the desirability of the women of our country and of our cities co-operating in the formation of public sentiment, I by no means believe that that ought to be the limit of their work. It is true that a great deal may be done without the ballot. In my town the women have organized clubs and have taken quite an interest in municipal affairs. They have seen some of the abuses which are patent in every city, little things which a man does not notice and which belong to the housekeeping of the city, and they have called the city council's attention to many of these matters, often with excellent results. Now that is a good thing to imitate everywhere, but that certainly ought not to be all.

When I heard the paper which was read this afternoon describing the general excellent condition of municipal government in the great city of Glasgow, how politics was practically unknown in the choice of the council, how men of high character were chosen, and how a system in which a dwelling consisted of one room for a family of eight or ten, was being gradually eliminated, how homes were being established in all parts of the city, and how the city government was actually undertaking many things which we would consider outside of its province, in behalf of beneficent administration; I remember that it was also stated that there were some 22,000 women who voted. It occurred to me that the relation of cause and effect might not be entirely absent in these facts. As I understand, in the municipalities of England and Scotland the women have generally the right of suffrage. In parliamentary elections they have no vote, but in the city elections the women who are independent, and who are themselves the heads of households, have the same right to vote as men have. The wife has no right to vote, the daughter who lives with her father or mother has no right to vote; but when she has her separate interest there as a spinster or a widow, then she has under the same terms as men the right of suffrage. If I understand it correctly, that is the law in these English municipalities. Now, our English friends are very rarely entirely logical. If you followed that on the ground of principle you would say that if one woman should have the right to vote, all should, and yet in point of practice where the woman is herself the household, where she has others dependent upon her, and especially where she has property to protect from

unjust taxation, who is there that ought to say that she should not have the right to protect it by her vote as well as by her influence? [Applause.] Personally I would go a great deal further than that. Personally I believe that all the women of America ought to have the right to vote under the same terms as men. I have long believed that, and I think that many of our friends to-day who are urging so strongly upon us with an eagerness which seems almost unwonted, the great wickedness of governing people without their consent, the great evil of taxing them without representation, might find, not in foreign islands nor among half civilized peoples, but in their own cities and towns, at their own firesides, people who are taxed without representation and who are governed without the right to consent to that government by the only means which the law recognizes for giving that consent, the ballot.

In our State of Indiana some years ago we had scandals of the most nauseous character in respect to the benevolent and penal institutions of the state. They were used as spoils. The victims of madness were sometimes tortured, fed with insufficient and unwholesome food, treated with great brutality, all as a part of that vile spoils system which has grown up as an excrescence upon our body politic. The scandal became so widespread that at last the party under which these infamies occurred was hurled from power. But there was one institution which was kept free from them. It was the Woman's Reformatory, under the care of women. That was well cared for and well managed at the time when corruption was rife elsewhere. Now, my friends, that means something. It means an administrative function was at that time better performed, performed with greater disinterestedness as well as greater skill by women than it was by men. They had no political axe to grind. They had no offices or influence for which they desired to curry favor. They were intent simply upon doing their duty and they did it well. Now, I say that fact shows that at least for that kind of duty women are well qualified, and at the present time we can count on greater disinterestedness on their part than we can on the part of men. I believe, therefore, that it would be eminently wise, and I think the women who are here would only do their duty, if they were to petition the legislature and ask their husbands to use what influence they can, and those who are near them to use what influence they can, to give them an equal power with men to say how our cities shall be administered.

We heard an excellent paper this afternoon from the Rev. Washington Gladden, of Columbus, telling us of the great evils which exist in regard to the management of city affairs and the control of city affairs by public service corporations. I believe that we would find in the vote of the women a considerable safeguard against such evils as that.

There are many men who are disinclined to adopt woman's suffrage, and I will tell you very largely why they are so disinclined. They believe that the tendency of women is that while they are disinterested and want to do what is right and while they are efficient house-

keepers, not only for their own homes, but would be for their cities, yet there is perhaps a little too much disposition on the part of our women to reform too much, and ask men to become good too quickly, and perhaps to become a little too good. [Laughter.] We men experience that sometimes even in our own homes. [Laughter and applause.] I do not know as that is any reason to applaud me. When we think we are perhaps all ready to go out of an evening, our wives will see perhaps a few hairs awry, or a tie not exactly right, and we must go back and fix it. Now, I think it is a pretty good thing, if women begin to take part in public affairs for them not to be too particular over small things. [Applause.] A desire, for instance, to make men good and good quickly, leads a great many of our women to demand such immediate and extravagant measures as universal prohibition of the liquor traffic. Now, we all recognize that the sale of liquor is fraught very frequently with great evils, and yet those who have had any experience in public life realize that a prohibitory law in many places is absolutely and utterly ineffectual. I have been recently in the State of Maine, where you know they have had a prohibitory law established by the constitution for over fifty years. The first day I went there I went to the town of Cornish. You will suspect, I am afraid, that I went on a political errand, and that is true. I was sent to the town of Cornish, as I say, and on the way I saw a man going from Portland, who was so grossly intoxicated that he fell upon the platform of the station, and his poor wife was greatly distressed and his daughter screamed, and there was a scene at the station. On the following day, on changing cars at Bath, I noticed a man who was too much intoxicated to go from one car to the other. Some years ago when I went to Old Town in the eastern part of Maine I found more intoxication than I have ever seen in any city in the United States anywhere, at any time. I saw men drunk in the gutter. In the town of Bangor there were sixty saloons in full blast, but they had to close by the mayor's orders at eleven o'clock at night. That is in prohibition Maine. Now, men have had larger experience in these political affairs, and they know that the world cannot suddenly be reformed that way; that it must be done by steps; that if you want any anti-liquor legislation it had better come in the shape of local option first rather than to try prohibition at the beginning. Now, I would say that that is a tendency which men are afraid of, in what they consider the feminine mind, and they fear there is going to be too much reform, and they are afraid to let women vote at all.

There is one question more. Dr. Gladden in his paper this afternoon gave us a most melancholy picture of the corruption of our city councils at the behest of public service corporations, such a picture as would indicate the degradation and total corruption of our municipal life. In many places and at many times that picture was undoubtedly not overdrawn, and would indicate that we were somewhere pretty near the precipice and on the point of falling over into total destruction; and yet, my friends, I

think we ought to look at the other side of the picture too. I do not believe in undertaking the work of reform in a hopeless frame of mind. I do not believe in that cynical idea that we are all going to immediate destruction. There is a vitality in our social and political life here in America which will survive all the corruption that exists at the present time, for we must remember that although Glasgow is a very well-governed city, and although Chicago is in many respects a very ill-governed city, yet the people come from Glasgow and go to Chicago. They do not go from Chicago to Glasgow. [Applause.] Why is that? Because they realize that taking all things together, natural opportunities, if you please are among these things, and human institutions, democratic institutions, that America is more hospitable to enterprise, that it contains more hope, more opportunities, and although our streets may not be so clean, and although our taxes may be a great deal higher, yet in the development of character, in the giving of a man a chance in life, an American city to-day is better than a European city. That is true of American institutions everywhere, and our corruption is not the corruption of a degenerate race, it is rather more like sowing the wild oats of youth—we are going to get over it.

Of course these corruptions should be laid bare before us and we must try to reform them, and punish the guilty; but let us do it with hopeful hearts, realizing that we have the element of regeneration and not of degeneration within us, and looking toward the future in the full belief that we may really become an example to mankind, not only by our state and national institutions but even in our municipal life. [Applause.]

GENERAL KING: Last, but by no means least, I have the pleasure of presenting to you a distinguished representative from a Western State, where purity in politics is all the more easily obtainable because the women take so active a part in municipal affairs. Possibly, too, it is the recognition of the universal and inflexible law as to who shall have the last word that I present to you with great pleasure a distinguished member of the Colorado Legislature, the Hon. Martha A. B. Conine, of Denver.

MRS. CONINE: I know you appreciate the wisdom of our Chairman in giving a woman the opportunity to have the last word. [Laughter.]

I wish to say, as a Civic Federation the women of Denver have always felt themselves greatly honored in being affiliated with the National Municipal League. Since I have come to Milwaukee and have seen the personnel of this League, I feel that we are more than honored in belonging to a body which has given years of study to the betterment of municipal conditions.

I despise apologies, yet if I had had a notion that I was to address this assemblage, I should doubtless have spent some considerable time in preparing an address, but I did not know until to-night that I was to be called upon, therefore I trust you will excuse me if my remarks are somewhat desultory.

In regard to the Civic Federation, it is the only body of the kind com-

posed entirely of women, with which I am acquainted, and it grew out of the necessities of the conditions in our city of Denver. It is almost impossible to speak of any of these conditions without mentioning them all, and you know something of what the women's clubs of Denver are. You have seen some of their representatives this summer. The great Club of Denver was organized immediately after the first election in which women exercised the suffrage. The women who had undertaken to perform their duties as American citizens realized that there was one serious difficulty at the outset. We had always said to our husbands and brothers, "you complain that the city is not well managed. It is your own fault. Why do you not go to the primaries and nominate men whom you can trust to do what you want to have done?" So when the suffrage was given to us we went to the primaries, and did succeed in bringing about considerable reform right on the very spot. Many of the primaries were held in ladies' parlors, and presented quite a different scene from what they had usually. But the ward-heeler got in his work just the same. [Laughter.] And the first thing we found out was that if we were going to reform politics we must begin at the primaries, and immediately after the Woman's Club was organized the first measure the women proposed to the legislature was one for direct nominations a bill almost substantially like the proposition which is the issue of the campaign in Wisconsin this year.

After introducing this bill we soon found that of course the club was mixed up in politics. We did not desire that it should be political, and after the first election a few women came together and organized the Civic Federation, desiring that it should be something more nearly approaching practical politics without being political than anything we had had before. We do our work through a central council of one hundred. It is intended that each ward shall have a sub-organization, so that we really have a federation, although it is only one club.

Our motive at first was to push legislative matters, but we very soon found that the women were really not as well posted as they should be on the subject. Now, you know very well that a great many men have really no political opinions, they have simply accepted the opinions of their fathers and grandfathers, and really could give you no very good reasons for their opinions at all, and when the women began to vote, they wanted to know. The natural impulse was to obey St. Paul's injunction, "If a woman would know anything let her ask her husband."

But they soon found this was not a very fruitful source of information, as far as practical politics were concerned, so they got together in clubs and began studying, and they asked questions of their husbands and did a little investigating on their own account. It soon became apparent that we should have to go more deeply into politics than we intended. The average citizen does not have time to inform himself as to the character of the nominees, and he usually, as I have heard it stated by our member of Congress, takes the party ticket and finds fault with two or three that he

does not like, yet he makes a wry face and swallows the whole dose. Women would not do that. They scratch the tickets—and so after a little it was expected that the Civic Federation should be a guide as to the ticket for this non-partisan voting element.

We had our conventions in this way. We usually waited until the parties had nominated, and then we sent out personal invitations to many prominent citizens of all professions and all grades in life, and they came together like any other convention, only there was never any disorder about it. [Laughter.] In fact the politicians called it a pink tea, and we usually nominated a ticket which was culled from the other tickets in order that it should be non-partisan. We only take action in city and county affairs. The ticket would usually be made up about equally from each party, and sometimes a candidate of our own would be added, and so it has come about that in the last four years this Federation has been looked upon as the guide for the better class of citizens, the real non-partisans, who have the good of the municipality at heart.

I think that our influence has been very widely felt. Certainly this is true, last fall when we were preparing this ticket a committee of fifteen was appointed to investigate the names on the three party tickets which had already been nominated with a view of selecting names for our ticket, and out of the thirty names on each of the three tickets there was not one of a man or woman of known immoral character, no one who had an odious reputation in any way. I do not mean to say that the whole thirty on the tickets would answer for Sunday-school superintendents, but they were certainly not known to be openly immoral. We consider this very largely our work. We commenced with the idea of being more in the nature of a philanthropic and educational institution, but this branch of the work was afterwards taken up by women's clubs, and they have established and carried on night schools and women's meetings and a children's park, etc., in various parts of the city.

We have a course of lectures throughout the season by experts on particular subjects in civics, in regard to elections, primary laws, clean streets, city charters, etc. By the way, I think the average citizen of Denver is better instructed in city charters, that is, he has heard more talk about city charters, than almost any other class of citizens in the United States. We labor under great disadvantage there, for we have a metropolitan charter which gives to the governor the power of appointing the fire and police force and the Board of Public Works. Think how that mixes up state politics with city government. We have tried for two sessions to remedy this evil. We have torn the legislature almost to pieces trying to get a new charter, and the fight will have to be waged again during the next session.

I have been asked to say a little about what it is like to be a legislator, and I shall have necessarily to be a little bit personal; but I hope you will excuse me if I am. My own nomination was not made on party lines. The desire of the fusionists four years ago was to have a person upon the ticket

who should represent the woman's slub element. They realized they had an element of several thousand women voters whom it would be a good plan to conciliate, and I was chosen as that representative. I went entirely unhampered. Of course it was necessary to affiliate with one of the factions to organize the house, but aside from that I felt independent There were three women members of the legislature. We have had three women there every session since the women had the ballot. We never have seemed to get beyond the magic number, but the women of Colorado have not been anxious to assume office, have never been aggressive and all that has been done is voluntary. This year we want a senator, for we feel that we have not had as good success as we ought to have had in presenting to the senate matters in which we have been interested. We will probably get a senatorship.

As far as my experience in the state house is concerned, I met all the men from the governor down to the door-keeper or the sergeant-at-arms, on precisely the same terms that men and women meet in society, in the church or in a place like this. We stood on terms of perfect equality, and yet men never forgot that deference which a man naturally pays to a woman. The experience was perfectly delightful. Of course it was along lines that we had become a little bit familiar with in our club work, but it was very delightful, and in committee of the whole the women were as likely to be called to the chair as the men, and in appointing committees the women had the preference, if anything. One of the women had charge of the printing committee, and the printing bills that year were smaller than ever before by several thousands of dollars. [Applause.] A woman is naturally economical, although I think probably that proposition may be challenged by some of you present.

The first committee that was appointed had one of the women upon it, and was the committee to escort the incoming and outgoing governors. So it was all the way through down to the very last committee, which was the one appointed by the Speaker to inform the Senate that we had completed work and were ready to adjourn sine die. The Speaker appointed as that committee, all three of the women. [Laughter and applause.] We went to the Senate and performed our mission with a great deal of pride, I assure you, and when we went away they applauded us roundly.

I want to say just one word in reference to what our worthy secretary has said to the women here. The advice is good. I think the women would do well to inform themselves and instruct all their male relations in regard to their duty at the polls. But the only valid reason I have ever heard a woman give for not wanting to vote is, that she does not want the responsibility. Now, ladies, what do you think of having the responsibility of instructing your father, your brother and all your male relations, and then be unable to vote after that? [Applause.]

My advice is don't you do it. It is time to take that responsibility when you have the vote and then make good use of it. [Applause.]

GENERAL KING: I feel sure that I have your warrant, ladies and gentlemen, in extending to our speakers of the evening most heartfelt thanks for the pleasure and instruction received at their hands, and now I have to announce that the exercises in this room will close and the reception will begin at once in the parlors below.

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HOTEL PFISTER,

Friday, September 21, 1900, 10.30 a. m.

The Conference was called to order by VICE-PRESIDENT RICHARDSON.

THE SECRETARY: Dr. Milo R. Maltbie, of New York City, editor of *Municipal Affairs,* was to have read a paper on "Municipal Political Parties," but he is unable to be here on account of some duties unexpectedly detaining him in New York. He has sent his paper, and I would suggest that we include it in the proceedings.

THE CHAIRMAN: Unless there is objection it will be so included.

For Dr. Maltbie's paper on "Municipal Parties" see Appendix.

THE CHAIRMAN: Our first paper is entitled "The New Municipal Program in Small Cities," by Professor Samuel E. Sparling, of Madison, Wisconsin, Secretary of the Wisconsin League of Municipalities.

Dr. Sparling read a paper on "The New Municipal Program in Small Cities." (See Apendix.)

THE CHAIRMAN: The next paper will be on "Local Transportation and its Relation to the Welfare of the Municipality," by Mr. George E. Hooker, of Hull House, Chicago.

MR. HOOKER: I take the liberty of leaving on the desk here some lists of questions prepared by the Street Railway Committee and dealing with the street railway question in Chicago. They outline a series of queries intended to suggest a street railway policy.

I have three considerations which I wish to bring to your consideration this morning: The first is that rapid transit facilities in cities are defective; second, that the question of fares needs investigation; and third, that the method of securing proper powers and regulations for the public is by granting franchises, if they are granted at all, which have no guaranteed duration.

Mr. Hooker then read his paper on "Local Transportation and Its Relation to the Welfare of the Municipality." (See Appendix.)

THE CHAIRMAN: I take pleasure in introducing Mr. George C. Sikes, Secretary of the Chicago Street Railway Commission, who will discuss Mr. Hooker's paper.

MR. SIKES: As I am in complete accord with Mr. Hooker, I have nothing to criticise in his paper. It seems to me that too much emphasis cannot be laid on the matter of continuing control of which he spoke. The decision of the Supreme Court in the Dartmouth College case may have

done much to protect private property, but I maintain that the application of the principles of that decision to public service corporations, has been a mighty factor for bad government in this country. If a corporation can get from a council, or from another legislative body, a privilege which immediately takes the form of a contract, that corporation is interested only in having the kind of a council which will grant it the privilege desired, and it has nothing to fear from succeeding councils. If the council gives it something it ought not to have, it becomes a contract, and if it is attacked, the corporation goes to the courts and its rights are protected in the courts. Therefore the corporations are interested in a dishonest council, because a dishonest council can confer upon them valuable privileges, and except under troublesome police regulations, cannot circumscribe those privileges later. So that you can see that there is a direct interest on the part of such corporations in bad city government at all times. Now, if a franchise were not a contract, but a mere license, revocable at will, a corporation would not dare to ask for too much from the common council, because it would know that there would be a wave of indignation which would lead to a possible revocation of its privileges by the next council. Therefore these public corporations which we now denounce as such a corrupting influence in city government would be at once interested in an honest council, because in the long run they would fare better at the hands of an honest council. While an honest council would not give them so many things that they ought not to have, at the same time they could not trust a dishonest council, after having favored them once, to let them alone thereafter; while an honest council could be depended upon to safeguard the legitimate interests of the corporation .

Professor James, who has just returned from Europe, made the statement to me in conversation, that the Mayor of Frankfort, Germany, told him that the reason the city took over its street railways was that it could not protect its rights under a contract with public service corporations. How much more is that true of American cities!

The point is at once raised, if you do not give these corporations some assurance they will not invest their money. As Mr. Hooker says, experience shows that in Washington and Massachusetts men are willing to invest their money on tenure during good behavior; but if the corporations are not willing to invest on such a tenure as he suggests, some other means should be found of providing the service as quickly as possible; and I think the fact that we are dealing with public service corporations on the contract basis is the reason why we are drifting toward municipal ownership so rapidly. Unless tenure during good behavior is substituted for the contract system of dealing with the franchise problem, municipal ownership must come rapidly and cannot come too rapidly, as we cannot deal with the subject on a satisfactory basis in any other way. The city's control over its street car service, like its control over the street should be continuous. It is a public function of which the government ought not to divest itself.

There was one other matter of which I desired to speak, not touched upon by Mr. Hooker. The matter of labor policy which has attracted so much attention by virtue of street railway strikes of recent years, especially the one at St. Louis. The public conscience is becoming very sensitive upon the point of labor and is anxious that labor shall have its rights and dues and be properly treated. Of course the public conscience makes the public sensitive to street railway employes as well as other labor, and I think investigation will show that street railway labor is badly treated as compared with other labor in this country, and corporations that are making large profits from street railway service very frequently work their men long hours at low wages. The city itself is supposed to treat its employes upon the model basis that has become established, and in point of fact, criticism is made that the city is sometimes too generous to its own employes. We have now come to the point where the city insists to a considerable extent that the employes of contractors doing work under the city government shall be treated fairly, and many contracts contain stipulations regarding the treatment of labor in performing that work; that is, the city, when it does labor by contract, is simply doing it indirectly, and should concern itself with the treatment of employes under contract as well as the treatment of employes directly in its own employ. Now, it strikes me that street railway employes are in a measure indirectly the employes of a city, because the street railway corporations are performing a public service, which if the city could not have done through a private corporation, it would be under obligations to supply itself, and therefore it seems to me that the city should consider the employe of a street railway company as in a sense its employes, and require fair treatment of them. But our interest is even more immediate than that. Street railway strikes or lockouts are the most distressing of any that we have, and cause more inconvenience and more trouble to the public. The city, therefore, should pursue the policy which will put an end to strikes by insistence upon the fair treatment of employes.

We have done very little in that respect in American cities. I will attempt to refer briefly to what is done in some other places. You know, in the Canadian cities, particularly in Toronto, the city in its franchise grant prescribes the minimum wage and the maximum hours for employes in street railway service. Some critics also prescribe that employes shall have the right to belong to labor organizations. There is such a provision in one of the leases made by the London County Council, and the corporation in question has been fined several times for discharging employes for belonging to labor organizations; and as to the city of Glasgow, you perhaps know that one of the principal reasons why the city took over the management of the tramways there was that it could not get the corporation to agree to the labor conditions which it desired to impose. The city of Paris in its new underground project has gone further than any other city. It not only prescribes the minimum wage and maximum working day of ten

hours, but prescribes that employes must be paid for ten days' vacation, and during sickness, and that the company must provide accident insurance, and must contribute to a pension fund.

Now as to American cities, there is only one city of which I have any knowledge which has attempted to prescribe labor conditions in its franchise, and that is Detroit. In the franchise granted to the Citizens' Company, there is a provision that the hours of labor shall not exceed ten per day. Some cities, after the franchises have been granted, have attempted to prescribe regulations by law in the matter of hours. New York, Massachusetts, and Washington, limit the workday for street railway employes to ten hours. Pennsylvania, Maryland, I think, New Jersey and two or three other states have by law attempted to limit the hours of street railway employes to twelve: all of which shows the recognition of the need of some regulation of this kind. Nothing has been done here in the way of guaranteeing to employes the right to belong to labor organizations.

Let me say a word about that matter of belonging to a labor organization. That is something beyond human interest in the employes. I presume very few of you here know to what extent political backing is necessary to acquire positions with street railway companies. I believe that today in the city of Chicago it is easier for an alderman to place a man on the pay-rolls of some of the public service corporations than it is to get him on the pay-rolls of the City Hall. I think that is one of the important reasons why street railway corporations very largely deny to their employes the right to organize, because organized workingmen, so far as they can, refuse to hold positions with political backing, and if the men were organized, the company would be deprived of this political power, which is becoming more important to them as civil service is getting a status, and the aldermen must turn to these public service corporations for their patronage, because the civil service regulations are depriving them of the opportunity to place their employes to a large extent upon the city pay-rolls. It is for this reason that I lay emphasis upon the matter of organization.

There is one other point which I would like to refer to, and that is arbitration. So far as I know very little has been done in the way of requiring arbitration, yet it would seem that that would be the most sensible thing to do. This matter has been discussed in the Chicago Street Railway Commission, and peculiarly enough, nearly all the members of the Commission were averse to insisting upon incorporating into the franchises the condition of minimum wage or maximum workday or the right to belong to labor organizations, whereas they were unanimously of the opinion that some provision should be inserted regarding arbitration. They thought that that perhaps would be sufficient. Now, as I say, these others are matters of experience, and yet this provision regarding arbitration is entirely new, and if we work out something of that kind in Chicago, it will be new. I say it is entirely new, but I know of one other provision of the

kind. The street railway strike in St. Louis has attracted such attention to the subject that the cities in that neighborhood especially have begun to demand arbitration, and when a franchise was granted recently in Kansas City, Kansas, the labor union demanded a provision in the grant for arbitration. But the provision is of no value in the way it is drawn. I presume, although I know nothing of the circumstances, that it was drafted by the attorneys of the corporation and meant to concede the moral principle; but it will be found of no value as to requiring arbitration. This is a new field and the plan will be worked out in Chicago with great care.

If I might throw out a plan for consideration and discussion, it would be this: In the first place I would say that I am not a believer in what is known as compulsory arbitration as applied to ordinary industrial disputes, but I think that it would be entirely proper for the city in granting a franchise to require the company to submit all disputes to arbitration. Compulsory arbitration to that extent I would think admissible. It seems to me the city has no hold upon the men by which it could require them to arbitrate, and that is frequently raised as an objection. It does not seem to me, however, to be a valid objection, because the city is dealing with the company, and if the city wants to require the company to do what the city itself might do under similar circumstances, it seems to me that is entirely legitimate and proper. Moreover, taken as a practical matter, the street railway employes will arbitrate. They are weak. No street railway strike can possibly win which has not the support of public sentiment, and very often street railway strikes are broken despite the fact that public sentiment is on their side. Therefore, if you can compel the company to arbitrate, I think as a practical matter the difficulty will be ended, because street railway employes cannot have very strong organizations and they must rest upon the strength of their cause and not upon their might. I think that if you require the companies to arbitrate that you will do away with all, or virtually all, street railway strikes, because in almost all cases it is the companies that refuse to arbitrate in this line of business.

Now, briefly as to the plan. It seems to me that the grant should require the company to agree to submit all disputes to arbitration, and that the arbitration board should consist of one member chosen by the men, one chosen by the company, the two to choose a third. Now, in order to make your machinery work, you must provide some method of selecting that third man in case of disagreement, because otherwise if the company wanted to prevent arbitration, it could do so by refusing to agree on the third man. The grant should provide for the selection of the third man by the mayor, or perhaps there would be more confidence if the selection rested with some designated judge. The natural course would be simply to provide in your ordinance that the company must agree to submit disputes to the State Board of Arbitration, if there is one. That would be natural and logical; but I suppose there is not confidence enough in State Boards of Arbitration as yet to warrant insisting upon that. There have been too

many political boards. So that you would have to provide this separate machinery. There would have to be a penalty provision in this plan, either by fine or forfeiture in case the company refused to arbitrate, and I would also stipulate that the company would not be required to arbitrate in case the men struck before seeking arbitration. The idea of this plan is not so much to protect the employes as it is to insure continuous service. That being the case, it might be proper enough to give the employes to understand that if they want this machinery created by the public used for their benefit, they must appeal to it first, and not strike and interrupt the public service and then call in this machinery afterwards.* [Applause.]

* The following is the circular distributed by the Chicago Street Railway Commission, of which Mr. Sikes is secretary, and to which Mr. Hooker referred:

STREET RAILWAY COMMISSION,
CITY OF CHICAGO, September 14, 1900.

*Dear Sir:* The Street Railway Commission submits to you the accompanying list of questions and requests you, in response thereto, to favor the Commission with an expression of your views upon any or all of the points of policy suggested by the questions. In stating the questions, you will observe, it is assumed that action by the State Legislature as well as by the City Council may be necessary to any proper solution of the Chicago street railway problem. It is preferred that your views be set forth in your own words and not in "yes" or "no" answers to the questions submitted. Replies should be mailed to the Secretary of the Commission. Yours respectfully,

(Signed) (Signed) MILTON J. FOREMAN, *Chairman.*
GEORGE C. SIKES, *Secretary.*
Room 100, City Hall, Chicago.

LIST OF QUESTIONS SUBMITTED BY THE STREET RAILWAY COMMISSION.

I. UNIFICATION OF MANAGEMENT.

(*a*) Do the public interests require that all the street railway lines of Chicago should be brought under a single management, either through consolidation or through operating agreements?

(*b*) Should it be the policy of the city to treat the street railway business as a monopoly? In other words, would you favor giving to a single corporation virtual assurance of a monopoly of the right to operate street cars in Chicago, provided that corporation on its part would undertake to furnish adequate service to the entire city on the basis of a unified system, the city government reserving authority to require, among other things, the building by such corporation of new lines as needed?

II. DURATION OF GRANTS—PUBLIC CONTROL.

(*a*) What should be the duration of street railway franchise grants?

(*b*) Need renewals or extensions of grants run for as long periods as new original grants?

(*c*) How is the city to insure that first-class service shall be constantly maintained throughout the term for which the franchise is granted, and that plant and equipment shall be kept strictly up-to-date in all respects?

(*d*) Would you advise inserting in franchise grants hereafter made a provision giving the city the right at any time upon stipulated notice, say of one or two years, to take over the property at an appraised valuation?

THE CHAIRMAN: I take pleasure in introducing, as the next speaker, Mr. Charles J. Bonaparte, of Baltimore.

Mr. Bonaparte then read a paper on the subject of "The Essential Element in Good City Government." (See Appendix.)

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III. QUALITY OF SERVICE.

(*a*) How does the service furnished by the street railway companies of Chicago compare with that of other cities of which you have personal knowledge?

(*b*) What improvements in service for Chicago would you suggest as desirable and practicable?

(*c*) Please tell of any portions of the city that you know to be especially in need of additional transportation facilities or of improved service.

(*d*) Would you favor continuous car routes passing through the heart of the city in preference to the present system of downtown terminals, whether of the switch-back or of the loop variety?

IV. RATE OF FARE AND COMPENSATION.

(*a*) Ought it to be made possible for a passenger to ride from one point in the city to any other point for a single fare?

(*b*) What would you think of a graded fare system or a zone system of fares for Chicago?

(*c*) Do you favor reduced fares during the morning and evening hours when working people are going to and returning from their work? Should there be reduced fares for school children?

(*d*) As between low fares and compensation in the form of payments into the public treasury, which do you prefer?

(*e*) What suggestions have you to offer with regard to compensation, and methods of determining fair compensation? What form should the compensation take?

V. CO-ORDINATION OF SERVICE.

The three principal means of local transit are the steam roads, the elevated roads and the surface roads or street railways. The steam roads—since the elevation of their tracks—and the elevated roads that operate express trains are prepared to furnish the most rapid transit. To these roads, by virtue of their speed, it would seem, naturally belongs the long-haul business, the street railways being suited to the convenience of passengers desiring to ride moderate distances. Such being the case, should the city undertake, as a matter of public policy, to promote co-ordination between the surface lines and the steam and elevated roads? Particularly:

(*a*) Should the city require surface routes to be arranged on the basis of such co-ordination, where this arrangement would work to the benefit of the traveling public?

(*b*) Should special low fares be required for certain short rides over routes serving as feeders to steam and elevated roads?

VI. MUNICIPAL OWNERSHIP.

(*a*) Do you favor city ownership of tracks without city ownership of power plants or rolling stock and without city operation, the tracks to be leased by the city to an operating company?

(*b*) Do you favor the policy of municipal operation of the street railways of Chicago, either in the near future or ultimately?

(*c*) If in favor of city ownership of the tracks or of ownership and operation of the system, what plan for acquiring the property would you suggest?

VII. PUBLICITY.

What plan would you suggest for securing proper publicity of the affairs of street railway companies? Can you cite instances where provisions designed to secure publicity have worked satisfactorily?

THE SECRETARY: I should like to announce on behalf of the Executive Committee that it has elected Mr. William P. Bancroft, of Wilmington, and Mr. E. M. Thresher, of Dayton, additional members.

Apropos of the paper just read I should like to offer the following resolution which not only explains but justifies itself:

*Resolved,* That the Chairman of the Executive Committee be authorized and empowered to appoint a Committee, which may include members not

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VIII. LABOR POLICY.

(*a*) What provisions or methods of procedure, if any, would you suggest for securing to street railway employes fair treatment, and of insuring to the public immunity from interruptions to service due to labor controversies?

(*b*) Should the city, in street railway franchises, prescribe either a minimum wage or a maximum working day, or both, for employes? If so, what should be the minimum wage and what the length of the maximum working day?

(*c*) As a means of avoiding interruption of service through labor disputes, would you think it advisable for the city to require the company, in accepting a grant, to agree to submit such disputes to arbitration? Have you any definite plan in this line to suggest?

IX. SUBWAYS OR UNDERGROUND ROADS.

Do you favor a system of subways or underground roads in the downtown district for the accommodation of street cars, thus making possible the removal of all cars from the surface of the streets within that district? Will you state what seem to you to be the important considerations affecting this question?

X. MOTIVE POWER.

(*a*) What suggestions have you to offer with regard to motive power for Chicago street railways?

(*b*) Should Chicago insist upon some such motive power as the underground trolley or compressed air in the central areas of the city, or in areas where the overhead trolley has not been permitted hitherto?

XI. REFERENDUM.

To what extent do you favor the application of the referendum principle to franchise grants?

XII. FINANCIAL ASPECTS.

(*a*) In the event of acquisition by the city of street railway property from private corporations, what should be the basis of compensation?

Should it be

(1) The market value of outstanding stocks and bonds?

(2) The return to stockholders of money actually invested in the business?

(3) The cost of duplication, less depreciation?

Or some other basis not herein indicated?

(*b*) Should the watering of securities by street railway companies be forbidden by law?

(*c*) Should companies be forbidden to issue bonds or otherwise to encumber their property for periods in excess of the time for which their franchises run?

(*d*) Would you favor the adoption here of the Massachusetts plan of requiring all stock and bond issues of street railway companies to be approved by designated public authorities?

XIII. FRONTAGE LAW.

What change, if any, would you recommend in the frontage consent law?

members of the League, to ascertain the extent to which instruction in municipal government and its betterment is offered by American institutions of learning; and further

*Resolved*, That this Committee when appointed shall have authority to bring to the attention of college authorities the necessity of offering more extended instruction in these subjects.

In offering and moving the adoption of this resolution, I should like to say that a very considerable amount of instruction is already given in municipal government in many of our American colleges, but by no means to the extent which the importance of the subject at the present time justifies. It has been thought that some organized effort along the lines indicated in the resolution might be advisable at this time, and it is with that thought that I drafted the resolution and that I desire to offer it at this time. I think Mr. Bonaparte's paper justifies the action suggested. He has pointed out very clearly that the thought and study on the subject of municipal government during the last eight or ten years has been more beneficial than most of us realize. If we can promote a still more general study of the question, we may hope for still better results.

The resolution, duly seconded, was unanimously adopted.

MR. BANCROFT: I would like to keep the question of my acceptance of election to membership in the Executive Committee open, as I am not certain that it will be possible for me to accept.

MR. BONAPARTE: I think it is sometimes necessary to break the ice in order to bring on a discussion, and I may perhaps as well discharge that invidious duty, as I think that there are one or two points in the able and interesting papers read yesterday and to-day (excluding of course my own paper) which deserve a little comment.

In Dr. Gladden's paper, to which I listened with a great deal of pleasure, there was one omission which I thought rather seriously interfered with its value, and that was the failure to define what he meant by a "public service company." He used, in a somewhat general way, the term "monopoly" in his paper, but I feel quite sure that so careful an observer as Dr. Gladden could not have meant by that to say that the two terms were interchangeable, because, of course there may be, as you can readily imagine, many supposable cases of monopoly which bear no relation whatever to the rendering of any public service. But the point which I have in my mind, and which I think needs a little elucidation, is the distinction to be drawn for instance between a company running a line of omnibuses and a company running a line of street cars. I should say that the city had no right to interfere with the business of a man running a line of omnibuses. That man is merely using the public highways in precisely the same way, although perhaps to a different extent, from any other citizen who uses it, and what rates of fare he charges and what sort of omnibuses he runs, provided they do not endanger the public safety or become instrumental in conveying disease, or in some other way require municipal interference as a matter of protection

to the community, are matters that do not concern the city. Now it is obvious that there is a feature in the case of a city railway which does not exist in the case of an omnibus, viz., that the street cars use the public highway in a way which differs not in degree only, but in kind from that in which any other citizen uses it; and for that reason, since there is a permanent obstruction to the highway, which the city, if it has the power, or some other representative of the state sovereignty, authorizes to be placed in the highway. There arises a right on the part of the city, if it chooses, to permit a private individual or a private corporation, which is the same thing for the purposes of this discussion, to use the highway in that particular and excessive manner, and also to impose its own conditions upon the grant. Therefore, the term public service corporations appears to me to be slightly inaccurate or at least slightly misleading in a discussion of this kind, and probably if we were to speak in this connection only of those corporations enjoying a municipal franchise, which can properly be granted only by the municipal authorities, we would come nearer to making it clear to our own minds and to others as to what class of agencies we were thinking of. Now, thus defined, I am bound to say that I differ from Dr. Gladden and also from our friend, Mr. Sikes, in the opinion that they express that the promoters of such companies would as a rule prefer to have a dishonest and incompetent government to deal with. Such limited experience as I have had in the matter leads me very strongly to the contrary opinion, to the belief that what is needed to induce the investment of capital in these lines, as in any other legitimate forms of enterprise, is the knowledge that it would have honest and capable people to deal with, who could be trusted to deal with the interests of all concerned upon the principles of equity, and it is precisely for the want of that, it is just because we have atrociously corrupt city governments, just because we have a class of men in office who cannot be trusted to discharge their duties equitably to the individuals concerned, and faithfully to the community, that we have this additional element of corruption added which reacts on the municipal corruption as that reacts on it, each rendering the other worse, of men who are obliged, in a measure, to resort to immoral means, because by proper means they could not attain their ends, even though those ends are evidently for the public benefit. For that reason I am bound to say that it seems to me that supposing the city governments to remain as they are now, the general adoption of the principles of grants of these public franchises without limitations of time or any safeguard to the capital invested, would have a totally different result from that which has been suggested. I am quite well satisfied that the result of that in those communities with which I am best acquainted would be simply to give the reigning boss a most valuable, profitable and certain class of clients, because if there was no assurance that at any moment their business might not be interrupted, what the people who have charge of these companies would do, would not be, as has been suggested, to render their operations so satisfactory to the public that they

would be protected by public opinion, but would be to make themselves solid with the boss so that they would be protected by him.

At this very moment in the legislatures of many states there are prominent statesmen who receive every year rgular compensation from many corporations to prevent legislation injurious to their interests, and that notwithstanding their rights under the Dartmouth College decision, and notwithstanding the fact that in nearly all cases there is some measure of assurance given them which protects them from the predatory legislator. Now suppose, however, the boss, with all the public service corporations at his command, with the city council able at any minute to stop a business worth millions of dollars to its owners, he would then have a power over the corporation which would be something fantastic. Eldorado is not a circumstances to the value of such a pull. I do not wish to draw too dark a picture of the prevailing tone of public morals in regard to such matters in communities with which I am not particularly well acquainted. I carefully limit what I have said to those communities that I know something about, and it may be that as we get away from salt water the stock of public virtue gradually increases until about here, or within two hundred or three hundred miles from here, these apprehensions that I have expressed would become quite chimerical.

There is, however, just one thing that I found rather discouraging, and that is Mr. Sikes' suggestion that it would not be possible to put in his proposed agreements a compulsory reference to the State board of Arbitration, because that body enjoyed so little public confidence. Now, if there is a body expressly constituted by law for the very purpose of discharging this judicial function, and yet if that body suffers so much in public opinion that it cannot be trusted to have the very sort of business which it ought to deal with committed to it, why then either public opinion is very unjust, or the stage of morality has not become as exalted as I had hoped.

There is one other matter in that connection as to which I would like to say just a word, and that is as to the very interesting question suggested by the paper we listened to this morning regarding the element of compensation entering into the rates of fare on the street cars. Everybody has as nearly a natural right as there can be such a thing as a natural right in the world to use his own natural means of locomotion to go from one place to another. If there is a tax imposed on anybody for walking on his own grounds, that is a tax strictly speaking, but when there is a street prepared at public expense for his use, when there is a particular kind of engine placed on there for his benefit, nobody has a natural right to use that engine, and taxpayers who provide that highway have as much moral right to be compensated for its use in that particular way as the corporation that provides the mechanical appliances. As a matter of public expediency it may be to their interests to waive that right. It may be that it would benefit them more that the cars should be generally used and used freely by all members of the community rather than that they should be repaid, but

when it is placed on the ground of justice, it is not as clear to my mind certainly as it appears to be to our friend who discussed the subject with so much ability, that there is any injustice in making the people who run the cars pay something for this exceptional use of the highways provided by the taxpayers of the city. [Applause.]

SECRETARY: All general statements of course are dangerous, because you only have to prove a single exception to disprove the application of the general principle. Whether or not capitalists who are interested in the so-called public service corporations would prefer to deal with a corrupt council or with a highly honorable council, is a question that I am not prepared to answer finally; but I should like to call attention to two or three facts which exist in Philadelphia to see what they represent in this connection.

In 1897 Philadelphia leased its gas works, not because the people of the city wanted to lease them, but because Councils voted to pass the ordinance in the face of another proposition made by responsible capitalists, which was better by ten million dollars than the proposition of the United Gas Improvement Company. Is it not fair to conclude that in this case at least the Improvement Company would prefer to deal with a corrupt city council than with an honorable one?

This spring an ordinance was granted to the Keystone Telephone Company. It was an ordinance without any limitations as to time, rates to be charged to consumers, or as to compensation to be paid to the city of Philadelphia for the franchise. In fact there were absolutely no restrictions. It was passed in the face of the protests of the people and of the leading papers of the city. Would the Keystone Company have preferred to deal with an honorable city council which would undoubtedly have placed some limitations on it, or would it have preferred to deal with the corrupt councils of Philadelphia?

I might cite other instances of precisely the same kind. In 1892 one of the traction companies of Philadelphia desired additional franchise privileges. They got nine hundred and ninety-nine years, and in some cases perpetual grants, in the face of public protest. Would the Traction Company of Philadelphia have preferred to deal with an honorable city council or with a corrupt one? I shall never forget the scene in the council chamber when that franchise was granted. In front of the committee were the advocates of an ordinance which would give some advantages to the people and some compensation to the city; over in the corner sat the lobbyist of the Traction Company. The nod of the head of that man in the corner carried more weight than the pleas of the most eloquent advocates on behalf of the city, more weight than even the mayor's veto; and the ordinances which were finally passed were favorable to the Traction Company and unfavorable to the people of Philadelphia. What is the conclusion, that the Traction Company would have preferred to deal with an honorable council or one which was willing to grant them all they wanted?

A few weeks ago the Pennsylvania Railroad Company, which has its general offices in Philadelphia, desired very valuable privileges in connection with the improvement of its terminal facilities. All admitted that the terminal facilities were needed, but that if granted they would be of great advantage and profit to the company. The company said, unless you give us what we ask, that is the use of the public street and an easement over that street in the shape of a bridge, without any compensation from us for that privilege, and will relieve us from all damage which may ensue by reason of the building of the bridge and the maintenance of this easement, we will remove our offices to New York. Do you suppose that any group of honorable councilmen would have been moved by a statement of that kind? Only a corrupt council, such as I am sorry to admit that we have in Philadelphia, and influenced by ulterior motives, would have yielded to such pressure as that?

I am not prepared to say that all public service companies would prefer to deal with corrupt councils, but I am convinced that so far as Philadelphia's experience is concerned, the corporations which are operating its street railway, telephone and gas franchises, would much prefer to deal with corrupt councils than with honest ones, for experience has proved that they can get contracts much more favorable to themselves from a notoriously corrupt council than they could from a council made up of business men who had only the interest of the city at heart.

Of course this is a subject of enormous scope and one that we cannot dispose of at once, so I do not think we should go to the extreme of saying that all public service corporations seeking franchises from a city would perfer to deal with honorable rather than with corrupt councils. On the other hand we want to be careful, not to go to the other extreme, because there are experiences in American cities which prove that so far as certain communities are concerned public service corporations would much rather deal with corrupt than with honorable councils.

MR. A. B. DUNNING, Scranton: I was very much impressed with the paper read by the gentleman from Baltimore, and what he said reminds me of how the people of Scranton have gone to work along the lines of reform. They started in with a vengeance about the first of last February, and the result has been that eleven councilmen were indicted for accepting bribes.

MR. BONAPARTE: That was a good beginning.

MR. DUNNING: There are twelve or thirteen more on the rack. This very desirable result was brought about by a few of the most prominent, wealthy and influential citizens of the city of Scranton. I take it from what I have heard others say that this is about the way all reforms must come.

I met a gentleman here to-day with whom I had some previous acquaintance, and he greeted me and said, "What are you doing in the city?" I said, "I am attending this Municipal League." "Oh," he said, "I suppose

that the members of this Municipal League are nearly all theorists, are they not? and they don't know what it is to get down into the primaries." Well, now, it is very true that there is a suspicion of that kind frequently resting upon reformers, but it is cast with an idea of derision. I do not know anything about what has been the experience of the rest of the gentlemen who are here because every one of them is a stranger to me practically, except my friend the Secretary, but I do know what he has done at the primaries, and I know what excellent effect it has had too, and the results that have been obtained, and I think that every gentleman here to-day can speak of something in that way.

I might give you a little testimony that was given by the agent of the Traction Company who was caught in his own trap. He said: "One day I was sent for by three gentlemen, members of the common council, to come to the St. Charles Hotel. I went there and they said, 'We would like to talk to you about legislation.' 'All right,' I said, 'I am ready to go into executive session.'" [Laughter.] And they went. These three councilmen said, "We represent fourteen members of the council of Scranton. We want you to put us on your pay roll for twenty-five dollars a month and we will take care of your interests."

Another bit of testimony that he gave was in regard to an independent telephone company that was trying to get in to upset the Bell Company on account of its rates being so high and its service so bad. These gentlemen wanted a certain sum of money and he furnished fourteen of them money to support a resolution or an amendment that would kill the new telephone company's bill.

I wish to remark that in Scranton we are trying to do some practical work and we think that we have reached the root of the evil, and we hope and trust to upset the whole corrupt arrangement and get some better legislation at Harrisburg this coming winter whereby we can get better government.

MR. D. P. JONES, of Minneapolis: A general manager of a very large street railway corporation told me that after fifteen or twenty years of experience in dealing with corrupt councils made up of an inefficient and vicious class of citizens, and those who were not recognized as business men in the community, had led him decidedly to say that they much preferred to deal with business councils and councils that were incorruptible; and I dare say that the tax upon the resources of the corporation has been such as to make it a very plausible proposition that the company would prefer to do business with honest men in an honest council than with venial men in a corrupt council.

SECRETARY: Had this company already gotten its franchises?

MR. JONES: I think so.

SECRETARY: I think some of our Philadelphia corporations would say the same thing now that they have their franchises. They would prefer

to deal with an honest council on the ground that it would recognize the binding obligation of the contract.

MR. MCCUNE, of Minneapolis: I come from the same locality as Mr. Jones, and perhaps I am of a more suspicious nature, but that general manager was talking with one of our best citizens when he made that statement. [Applause and laughter.]

MR. CLARENCE S. PALMER, Kansas City, Mo.: During the last two days we have not heard from the public service corporations. I happen to be one of the attorneys of the street car company in Kansas City, and I do not find that my duties as attorney for that company have, up to this point, conflicted with my duties as a member of the Municipal League. I was attorney for the company while it secured two franchises. It was in a part of the city that had not been built up and which needed development, and where public sentiment was in favor of the road being built. The opposition we met with was from two or three men in the council, who, as the mayor said, seemed to have their "mits" on, and it was with a great deal of pleasure that I saw a man the other day who wanted to be square, but who was ignored, sit in his place and vote for our franchise. I think perhaps that we lose a little of the general perspective when we see the examples in Philadelphia and New York, but out in the West we are not quite so wicked. [Applause and laughter.] At home we can ride in two states, and three cities, twelve miles, for a nickel. [Applause.] That is about as much as can be expected, unless a man has a pass. We should not forget the perspective, and must remember that the most important thing to do is to put good men in the council. A good man to look after street cleaning is a good man to look after public service corporations. Councils are not usually corrupt, and when they are it is because of the careless indifference and apathy of the people.

MR. G. A. WEIKERT, Detroit: Mr. Bonaparte had in mind apparently the question of whether franchises should be granted without guarantee of duration, and I take it that if we have good councils it would be considered a practical policy, because both parties would then be dealt with fairly. The point is as to how it would work without good councils. I understand Mr. Bonaparte's position to be, whether we have franchises granted with guarantee of duration or not, that in either case the corporation will control the council. Now, if the council can give away public rights or can bind the public for ten or twenty or a hundred years, it is a more important thing to do and will bring a higher price than if the public is bound for a year for a period which has no guarantee of duration even for a day.

MR. SIKES: I should say that the facts of my experience contradict the position of Mr. Bonaparte. Now take the situation in Chicago when we tried to clean up our council. We had the influence of the public service corporations against us, especially the traction and gas interests. When first-class business men without cranky notions, men who did not believe in municipal ownership or any other isms, men who would not sell out,

men whose sympathies were on the side of wealth, but who were honest, were put up, they were more strongly opposed by these corporate interests than any other candidates. The corporations did not want that kind of men to deal with and opposed them strongly. A fifty-year franchise is of immense value. Once secure such a contract and you can capitalize your profits fifty years in advance, sell out to innocent stockholders and make maybe ten million dollars on the deal. You can see the enormity of the temptation which it is almost impossible for the ordinary man to withstand. It is well said that at the time when the franchise is to be granted these corporations are indeed interested in a bad council, but that afterwards they would prefer a reform council. On that same principle they are interested in bad legislative bodies and good courts. Bad legislatures give them something and then an honorable court will prevent its being taken away later on the ground that it is a contract, and it is the court's business to protect the contract regardless of the circumstances under which it was originally secured. So that that is my objection to these contracts, that it makes such a stress at one time.

THE CHAIRMAN: Allow me to ask a question. There are certain cities where the corporations have practically entire control of the election machinery and decide who shall be elected to the council. I would like to know whether any one is aware of a city where the corporations prefer to elect honest men? I know in Philadelphia that the corporations control elections, and dictate who shall be elected to councils, and they certainly do not prefer honest men there.

SECRETARY: In order not to exhaust all our time in hearing answers to that question, I move that replies be confined to fifteen minutes. [Laughter.]

MR. BONAPARTE: Let me use one minute to say that our friends perhaps wandered a little away from what I suggested, as to what was the real nature of my criticism. I did not at all mean to say that the corporations who have been dealing with corrupt governments for years would at the present moment prefer to deal with a government elected and composed of an entirely different class of men; but in the very instance suggested by Mr. Woodruff, here were two classes of capitalists, one class offering the city ten million dollars more for its property than the other did, and the corrupt city council for its own personal advantage sold out the rights of the city to the party that offered the less amount. Of course *they* preferred to deal with a council of that kind; but what kind of a council would the other set of men have preferred to deal with? [Applause and laughter.] Of course if you assume prima facie that every capitalist is a rascal, why then you unquestionably have a good ground for supposing that he would prefer to deal with a rascal of another kind who has not yet become a capitalist, or at least not as much of a capitalist as he wishes to become. But if you have, as I believe to be the fact, a class of men who have gained money through the exhibition of moral and intellectual qualities that are

useful to the community, who are not saints any more than the poor men, and who adapt themselves to their surroundings, and deal with the people as they find them, and can most effectually deal with them, then when you have corrupted that class of men by the kind of public officers that you have brought to deal with them, you must not, it seems to me, in common decency, turn around and reproach them with corrupting your own agents whom you have selected. It seems to me very much like the suggestion of Macauley in regard to Walpole's corruption, that undoubtedly he bought up the House of Commons when he could not manage them in any other way, but to say that he "corrupted" them was very much like saying that the people who had had blackmail levied upon them by Highland robbers were corrupting the robbers when they paid the blackmail.

MR. BURNHAM: It seems to me that the difference between a corporation asking for a fifty-years franchise and a corporation asking for a franchise every year, is simply like the difference between a man who goes on a grand drunk once a month and a man who tipples every day. [Laughter and applause.]

As Mr. Woodruff pointed out, the Traction Company in Philadelphia was for a time constantly at the mercy of councils, and as a matter of fact they went into politics on their own account and elected a large majority of the members of the council. I remember once asking a man in my ward as to the qualifications of a certain councilman. He said, "I wanted to get a man a position in the employ of the Traction Company, and I went to this councilman and asked if he could get the appointment. He said, 'Certainly, I will give you a letter to So-and-So,' referring to one of the Traction Company lobbyists. I took the letter to the lobbyist, and he said, 'Take that letter back and have him put it on councils' letter head.' So I took it back and the councilman, in a very docile manner, put the letter on the councils' letterhead." The thing meant simply that the Traction Company's lobbyist wanted to have that man nailed, wanted to have it in writing that he was his man. That is one danger of continuing a year to year arrangement, and yet I cannot but admit that Mr. Hooker is right, looking at it purely from the point of view of the efficiency of the service, etc., that it is a better arrangement than the term franchise, and the whole discussion, to my mind, leads one step nearer to municipal ownership.

SECRETARY: So that there may be no misunderstanding as to the facts of the case in Philadelphia, the second group of capitalists who offered $10,000,000 more for the gas franchise than the first group did, were not so virtuous as my friend from Baltimore would intimate. But I do not believe in the general denunciation of capitalists. I think it is misleading and creates a public sentiment that is subversive of good. There are capitalists and capitalists, but this particular group of capitalists would have preferred to deal with a corrupt council, as was afterwards demonstrated, for they began suit against the city to prevent it from entering into a contract with the United Gas Improvement Company, yet, after some arrangement with

that company, the suit was withdrawn. [Laughter and applause.] The character of that particular group of capitalists is evident. My experience with Pennsylvania legislatures and Philadelphia councils satisfies me that they are always corrupt, at least to some extent. There are certain legislators who are known as Traction Company men or Pennsylvania Railroad men, and invariably they are the least desirable men in those bodies. I know a Senator who has been for sixteen years in the State Senate, who has been kept there through the influence of the very lobbyist to whom Mr. Burnham refers, and there is not a more corrupt rascal in the Senate of Pennsylvania than that man, and yet he is known as the Traction Company's man and the Traction Company have the power to put in any man they want but they prefer this corrupt man. But of course I would not like to argue from Philadelphia's experience to a general conclusion applicable to all cities in the United States, for that would be a method of reasoning entirely out of place in the National Municipal League.

Mr. Hervey H. Dorr, President Young Men's Voters' League, Chicago: I was hoping that the discussion might take a turn towards something more interesting to myself. I have enjoyed the speeches very much, but it seems to me that we should not consider the preferences of the corporations regarding a city council. We admit the desirability of a good council, and we are interested in getting it. I came here representing the Young Men's Voters' League of Chicago, as its president, hoping to find a solution of the problem which interests us. In my judgment the trouble and the cause are easy to determine, but the thing that I wanted to get and which I have yet failed to find is some solution of and remedy for the corruption in municipal politics, in our officials. If we succeed in electing good men it will be because good citizens take an interest in politics. We have ascertained in Chicago that only fifteen per cent of the voters attend the primaries, and only three per cent of the church membership. If you will excuse me for advertising the work of our League I will say that we are working on the eighty-five per cent of the stay-at-homes, and first of all to educate them in the right way in political affairs, and to instil into their minds and their hearts such a patriotism as will impel them through a sense of duty to go to the polls. I am convinced that there is good ground to hope for success.

Mr. Bonaparte: I do not rise to make another speech, but I would suggest that the gentleman who has just addressed us recommend to his organization affiliation with this League. In that case we will be able to work out our salvation together.

Secretary: A good many of the points he will find touched upon in the earlier proceedings of our Conference, which I shall be glad to tell him about at any time.

Adjourned to 2.30 p. m. same day.

HOTEL PFISTER, September, 1900, 2.30 p. m.

VICE-PRESIDENT RICHARDSON in the chair.

THE CHAIRMAN: Mr. M. N. Baker has been unable to get here, but one of the other editors of the *Engineering News* will read his paper. I take pleasure in introducing Mr. E. R. Tratman, of Chicago.

Mr. Tratman then read Mr. Baker's paper. (See Appendix.)

THE CHAIRMAN: Mr. Baker's paper has been discussed in one prepared by Mr. James B. Cahoon, of Syracuse, President of the National Electric Light Association, which will be read by Mr. David P. Jones, of Minneapolis.

Mr. Jones then read Mr. Cahoon's paper. (See Appendix.)

THE CHAIRMAN: Mr. Baker's paper will also be discussed by Mr. H. B. Henderson, State Examiner for the State of Wyoming.

MR. HENDERSON: The line of argument of the meeting this afternoon does not seem to be quite so gloomy as it has been for the last two days. In fact I was hopeful that some one would turn to the other side of the picture, and it seems that Mr. Baker has turned it around and has looked at it from a very cheerful point of view. Now, let us take heart and see if we cannot accomplish some good. I do not think that we are so very bad after all.

Mr. Henderson then read his paper. (See Appendix.)

THE SECRETARY: In the preparation of this set of papers this afternoon, after Mr. Baker had drafted his, it was submitted in turn to Mr. Cahoon and Mr. Henderson, so that they had the advantage of knowing what he had to say. The suggestion which Mr. Baker makes I think we will all agree is important. It will be recalled that in 1897 at Louisville a committee was appointed by the National Municipal League to draft a municipal program, and the outcome of it is the Program to which so many references have been made during our sessions here and at Columbus last year. It seems wise that we should take another step in the same direction, namely, that of appointing a committee looking toward the formulation of a system or systems of uniform municipal accounting and municipal statistics such as has been outlined by the speakers this afternoon. Great difficulty is experienced by all students of municipal problems in getting anything like uniform statistics concerning municipal expenditures and receipts, and following out the suggestion of Mr. Baker's paper, which is the result of a year's consideration on his part as well as on the part of others who are associated with him and with us interested in this subject, I have prepared this resolution for submission to the League, and I move its adoption.

*Resolved*, That the Chairman of the Executive Committee be authorized to appoint from the membership of the National Municipal League, or otherwise, a committee to give special consideration to the subject of uniform municipal accounts and statistics and to that end to confer with similar committees representing other organizations, and in its discretion to

prepare and report to the National Municipal League, or its Executive Committee, such methods or systems of municipal accounting and collection of municipal statistics as it may find to be most desirable.

The resolution was adopted by an unanimous vote excepting that of Mr. William P. Bancroft, of Wilmington, Delaware, who said that he thought it was impracticable to do much of anything in that line and that therefore he would vote no.

THE CHAIRMAN: The next paper will be on the subject of "Commercialism in Politics," by Mr. Bird S. Coler, Comptroller of Greater New York, which will be read by Mr. C. E. Monroe, of Milwaukee, as Mr. Coler is unable to attend.

Mr. Monroe read Mr. Coler's paper on "Commercialism in Politics." (See Appendix.)

MR. FOULKE: I have been very much interested in the papers and the discussion regarding a uniform system of accounting and I ought perhaps to state what has been done in that respect by our own State of Indiana. We had a commission appointed, as I mentioned to the Conference a year ago, to undertake the complete reconstruction of our county and township business all over the state. There were three bills that were prepared by that commission, one of which provided for a county and legislative council which should pass upon all of the estimates which were made, and all contracts, and provided many safeguards against injudicious expenditures. Another did the same thing in regard to township matters, where we have had practically an autocratic system. We introduced those two bills and also another one providing for a state audit of accounts, very similar to the state examinership in Wyoming, but there was this difference, that there was no special new official that was created for the purpose, but it was provided that the State Auditor should formulate the system of accounts, which should be uniform for all the counties and townships of the state, and that he should also appoint a special deputy, an appropriation being made for that purpose, whose duty it should be to visit without notice the different counties of the state and to examine their accounts, as well as the accounts of township officers. Then in addition to that, it was provided that certain semi-annual statements should be made, a good deal in the same way that statements are made by national banks. The idea was to put the county and township accounts in very much the same position as national bank accounts at the present time. The bill was, as it seemed to us, very valuable. It is considerably shorter than the Wyoming statute, and simpler, but it covers very much the same ground, and our State Auditor, in whom we have every confidence, told us that its provisions could be carried out at a very little additional expenditure over the ordinary expenditure of his office.

When the three bills were introduced into the legislature, a tremendous lobby on the part of the school supply companies and all sorts of special interests was organized against them. Unfortunately the bill for the State

Accountant was introduced first, at a time when the lobby was strongest. The bill passed the Senate by a large majority, but was defeated by two or three votes in the house. The public clamor that was awakened by the fact of the existence of this lobby throughout the state induced the people all over the state to put pressure upon their representatives, and the work of the lobby was defeated in regard to the two other bills. The county and township bills passed and we have saved an immense amount of money by those two bills, but we would save much more if we could have this state examinership under the control of the Auditor. I had the honor of drafting the bill which was defeated, and did not find it at all a difficult matter to embody what seemed to be provisions which would be efficacious, The mere knowledge that a public official is likely to come down on the county officers at any moment, even if he never came, would be, in my opinion, of the utmost value. I have not the slightest doubt but that the examiners of national banks have saved many millions of depositors' and stockholders' money in those banks, even in cases where they have found out nothing, because they have prevented a great deal of evil from happening, which the mere consciousness that it may be discovered at any time would prevent, and I have no doubt that national bank statements have, though in a less degree, been of great value. Now if that can be done in regard to the county and township accounts, it can be done and made uniform in respect to the cities of the state, and it seems to me that it is one of the most practical measures to which this League can devote its attention.

MR. DUNNING: We have in Pennsylvania a law by which, upon application of citizens of a township, the town can be "marshaled," and an auditor appointed by the court to make an investigation. That is all right, so far as it goes, but I think that this matter of a State Auditor or State Examiner is an excellent proposition, and one that would be of great importance in our own state. I will give you an illustration of what occurred in a township in Lackawanna county, adjoining the city of Scranton. The town was marshaled and the auditor made his report a few days ago, throwing out thirty-three thousand dollars of bogus orders, running through the last six years. It was disclosed that the road supervisors had been trafficking in these orders, that they had been drawing them and then selling them to storekeepers, the storekeepers selling them to others, and when finally they were turned in they would not be canceled, but put into circulation again, and so it was not discovered. The town auditors were of course in league with the supervisors. That was an appalling state of affairs in a small township. That might have occurred in a great many other towns in Pennsylvania and have remained undiscovered even up to the present time.

MR. HENDERSON: Mr. Foulke spoke of the lobby at his capital opposed to the matter of the passage of the bills that he introduced. I would like to inquire as to the personnel of this lobby.

MR. FOULKE: It was composed very largely of representatives of bridge

companies and supply companies and others that were not in the state at all, who simply sent their representatives to represent them. It was mostly an outside interest, largely pecuniary, I suppose.

MR. HENDERSON: My observation is that the objection to the system of examination will come largely from the interests within the state; it will come from the office holders; it will come from your penal institutions, your charitable institutions and your educational institutions—I do not except any of them. Those are the people that will object to having their accounts examined. Why? Because they make an appropriation here of say two thousand dollars to be applied to a specific purpose, and the statute says that it shall not be diverted to any other purpose, while the managers of these institutions do not desire to be so restricted.

MR. FOULKE: I would like to say that the county and township officers sent very liberal delegations into that lobby. [Laughter.]

MR. HENDERSON: It is just because the conditions referred to actually exist that the matter of public examination is cried down by a great many institutions in our land to-day. I give you this to think about, and when this committee that has been authorized shall be appointed it will find that the objections will come largely from the source stated.

MR. FOULKE: This matter was first called to my attention by Mr. Foote, who made a careful study of it, and was satisfied of the excellent results obtained in Wyoming, and he developed it more in detail than I have done.

MR. K. K. KENNAN, Milwaukee: A word in regard to what has been done in this state, or rather what has not been done in this state, regarding uniformity of accounts. I had occasion two years ago to note the necessity of some such uniformity. There are about one hundred cities in this state, in round numbers. I sent to each of these cities asking for a statement of the amount of taxes levied and the purposes for which they were levied, supposing that these statements would come back in such shape that the statistics could be readily tabulated. But I do not think that any two of the one hundred cities sent back precisely the same tabulation. Very great difficulties arose in endeavoring to form any tabulation from the statistics furnished. One of the most common divergences was in the matter of the receipts of the cities. Many reporting, for example, if fifty thousand dollars were levied, that that was in addition to all receipts, whereas in another city it would mean that forty thousand dollars were levied on property and ten thousand dollars were received from licenses and from other sources, and so on all the way through, so that when you made up a classification from the statistics furnished, my recollection is that the headings received exceeded one hundred purposes for which money was applied.

I have had abundant opportunity to observe the loss to the public through the manipulation of the statistics of municipalities. For some fifteen years the bulk of my business and of my work has consisted in investigating the statistics of cities and municipalities with a view to ascertaining whether

any money was being stolen, and if so how much; and the various ingenious devices which obtained for the purpose of covering up the misapplication of money, would really command the admiration of any person at all expert in accounts. [Laughter and applause.]

I particularly would like to impress upon the members present the importance of a uniform system of accounts for municipalities. A year ago I spent nearly six months as an employed attorney endeavoring to straighten out the accounts between a town in this state and a county. It was supposed when we began that there was not much coming either way, but the town had a distinct impression that it had some money coming and the county thought it was the other way. As an actual fact the town was shown to have been for years entitled to about thirty thousand dollars on balances, and I have since discovered similar discrepancies in other counties and towns.

I would just mention one other fact of interest, and that is that in the last session of the legislature a bill was introduced for a public examiner, and I happened to be in Madison at the time it was argued and talked about, and I was very much surprised at the great opposition which developed against that bill. The exact sources of that opposition were not immediately apparent, but that there was a tremendous opposition was very plain to anybody. I am sorry to say that the bill failed, as I think it was a step in the right direction. I hope that this question of uniform accounting of municipalities will be pressed by this League, because it seems to be one of the effectual preliminaries to effective practical action on our part.

MR. BONAPARTE: I gather from the papers which have been read that there is some subtle connection between a state examination and auditing of municipal accounts and the question of the advisability of municipal ownership of public utilities. That connection however is not quite clear in my mind, and I do not see how stating the accounts of a city would enable one to find out whether it would or would not be beneficial for it to acquire public service companies.

MR. HENDERSON: Do you mean to ask how uniformity of accounting would throw light on the subject of municipal ownership?

MR. BONAPARTE: How would it?

MR. HENDERSON: In the first place uniformity of accounting presupposes, as your Program places it, that these corporations shall make reports.

MR. BONAPARTE: I do not understand how the accountant is to investigate the affairs of the corporation.

MR. HENDERSON: Investigate all those affairs, and then you will begin to determine and understand whether or not it will be profitable to the municipality to own this public service.

MR. BONAPARTE: How would you be able to tell that until a municipality or two owned a public service corporation and you are able to compare the accounts of the street railway or whatever it might be as run by

the municipality with the accounts of the street railway before it was taken over?

MR. HENDERSON: We have some municipalities already that own their street railways. Some have taken advantage of their opportunities already and purchased their public service corporations.

MR. FOULKE: Is there any city now that owns its street railway?

MR. HENDERSON: I think so.

MR. FOULKE: I did not know that there was. I knew that that was the case with water works, but not with street railways.

MR. HENDERSON: I am sure that that is the case with water works and electric lights. We own water works, but no electric light plant. We grant no franchise for a period exceeding fifteen years, and at the end of that period new contracts are made. The electric light companies pay nothing to the city excepting their taxes. We do not charge them a rate such as the street car companies and other corporations pay, but they are required to keep their cost of service to the patrons at an amount not to exceed so much per month, and in that way the user gets the benefit of the profits that may accrue by reason of their not having paid an assessment.

MR. JOHN DAVIS, Detroit: I would not presume to explain to the worthy gentleman from Baltimore what seems doubtful to him; but as I understand it the proposed system of accounting would require uniformity in the accounts of public service corporations. I think it would be an excellent plan if when privileges are granted to public service corporations that there be reserved the requirement of uniformity of accounts kept by the corporation, and the right of examination on the part of the state or municipality, by some official examiner.

THE SECRETARY: In Pennsylvania we have a large number of hospitals and charitable institutions that secure from the state large appropriations, and I regret to say that very considerable scandal is at times attached to these appropriations. These hospitals, though very worthy institutions as far as their purposes are concerned, maintain regular lobbys at Harrisburg with a view to securing large appropriations, and there is one hospital in a city not very many miles from Philadelphia which invariably gets all it asks for, and it is very generally known that a considerable portion of the appropriation is laid aside for what they call "legal services," which however are really extra-legal and purely legislative. Of course that is not a matter of positive knowledge, but of hearsay only, but hearsay founded upon reliable reports. Now if we had a system of accounting in Pennsylvania which required that all institutions that received any money from the state should have, first of all a uniform system of accounts, and that those accounts should be open to the scrutiny of the state examiner and be public, it would prevent the utilization of any portion of the money for improper purposes, or would disclose the fact that a considerable portion of the money was used for illegitimate purposes, namely, for unduly influenc-

ing legislators by wining and dining them and looking after their material and creature comforts. Now so far as the question of municipal ownership is concerned, there has been a great debate going on in this country between the advocates of private ownership and municipal ownership in the control and operation of electric lighting and water plants. I think, however, every one has found great difficulty in ascertaining, for instance, what the cost of running an electric lighting plant was, and while Carroll D. Wright, through the Bureau of Labor at Washington, has recently published a volume in which he has collected a great amount of figures bearing on this subject, those figures are almost useless simply because they have not been reduced to a common denominator, that is the questions of cost, distribution of various items of expense, etc., are not at all uniform. If you had for each state a uniform system of accounting for all corporations which enjoyed public franchises, it would be easy to ascertain first, what the cost of maintaining those corporations was; and second, what the profits were. Thus we would have a legitimate basis of comparison. The same principle of course would apply to municipal accounts. I understood from Mr. Henderson that they have made a very long step in that direction in Wyoming. The first general notice that was taken of this subject was in a paper read by Mr. Holls in the Baltimore Conference of the National Municipal League in 1896. He came to be interested in that subject largely through his membership in a commission to draft a law for the third class cities in New York State; and then came to realize and appreciate just what Mr. Foulke has realized and appreciated through his membership in the County and Township Commission of Indiana during last year, that there should be some provision for uniformity of accounts in cities of the third class, so that it would be possible for the people living in those towns to determine whether or not the government which they have was good from the economic standpoint. I feel that there is no one phase of the municipal problem at the present time which calls for more careful study and thought than this very question of uniformity of accounting, which carries with it a state examination and control of accounting, for the two stand together.

Mr. D. P. Jones, of Minneapolis: I rise with a feeling of great pride in referring to our Minnesota system of public examination. Formerly the official was called a bank examiner, but the present title is public examiner, the legislature having enlarged the duties of the office. The duties performed are bringing magnificent results. For instance, the examiner is making a special point of instructing all of our county auditors, treasurers and other accounting officials, by giving them forms. It practically amounts to a system of instruction in bookkeeping. All the county auditors are taken in hand and instructed with the greatest care, so that the reports shall be entirely uniform, and when the system is completed it will be well-nigh perfect. Under the present law our commissioner can take possession of any county official's books and investigate them, and he

could close the office or take possession of it. This is suggestive of the vast amount of good that may be accomplished under the new law.

PROFESSOR SPARLING: I have been in touch with the commission in this state, which was appointed two years ago, at the last session of the legislature, and which went to work on the system of accounting now prepared and accepted by the proper authorities, and while I stand in some confidential relationship with the commission, I might in a certain way answer Mr. Bancroft's doubts. We have in this state one hundred and six State boards and commissions, and this system is intended to unify all of them and place them under the control of the Secretary of State. That is where a mistake has been made doubtless in the framing of the law; that is, it leaves to one of the officials interested in the enforcement of the law its entire control, which should be in the hands of some independent official.

With regard to Mr. Woodruff's suggestion about certain charitable institutions of his state, I would like to say that Wisconsin prides herself on being the banner state in the treatment of these institutions. We have passed through the stage or process of evolution which is going on in all of the states, and it is one of the most interesting developments and most suggestive lessons in the movement toward state centralization and the bringing together of various interests in one responsible control. We have first the various boards, numbering ten or fifteen, of various institutions. They were brought together in 1875 under two boards. Then in the nineties those two boards were consolidated under one board called the State Board of Control, and financially the results have been splendid, in the business management, buying supplies, etc.

Now it will be of interest doubtless to watch the progress of the neforcement of our system of uniform accounting in this state, which is now prepared and accepted by the public officials, but—I do not know but that is about as far as I can go—it is rather confidential. [Laughter.]

Motion made to go into executive session. [Great laughter and applause.]

MR. DORR: There is need of such an officer in Chicago. Our work in the Young Men's Voters' League was, as I said this morning, to get the 85 per cent of stay-at-homes to go to the polls. We did excellent work in that respect. It had been suggested that some public spirited organization ought to take over the question and investigate the proceedings. Without knowing what we were getting into, the Young Men's League undertook that work. We made a report which I shall not give in detail at all because it would take too long, but suffice it to say that the Board of Commissioners raised their own salaries from $3,000 to $4,000 a year in the face of a deficit and in the face of not knowing how much money they had to spend. And when their term expires in January there will be at least a million dollar deficit in another county, due to mismanagement. Every commissioner with a single exception is owned by the boss of Cook County. I

have investigated the matter and know. All of the coal used by the Cook County institutions is furnished by O'Gara, King & Co., of which firm Mr. Lorimer is a silent partner. He owns the company. The coal contracts go presumably to the lowest bidder, but the inspector is put in by Lorimer, and they put in any kind or weight of coal they want. We investigated in a systematic way the county board's finances, and on April 25 (the primaries were to be held on May 3) we published our report and made it mighty strong, for we got so indignant that we did not care what would befall us, and we published over our names a report which succeeded in retiring from office eight out of ten of the county commissioners.

[Voices: Hear, hear.]

MR. DORR: There are ten commissioners in the city of Chicago and five in the country districts comprising Cook County. In the city we retired eight out of ten and in the country one in five. That work was highly commended by the Chicago press and business men who are supporting us now in all that we are doing, and we are engaged at the present time in reporting on the two tickets, Republican and Democratic. We will select from those tickets if it is possible—and I think it is not possible. [Laughter.] We will try to select good men. I will say here that we are going to report as strongly as possible along the lines of the methods that they employ. They had to show some deference to public opinion, but instead of putting up good men, or presumably good men, they have put up nonentities, and we shall condemn pretty nearly all of them, and condemn the method of putting them forward. We were requested by some to put up a citizens' ticket, and I presume we could have done that, but for several reasons we thought we had better not do that, and especially as we feared that we could not succeed, as it is a presidential year and it would be difficult to get men to stand against their own parties, and the cost would be great—and another thing: our League is yet young and we do not want to be defeated. We preferred to attempt a smaller thing and succeed.

MR. HARVEY B. HURD, Chicago: I could add a little to the Cook County report. Some two years ago I was talking to the President of the Board of Cook County Commissioners on this question of reform accounting. He gave it to me as his opinion that such a system once inaugurated would save the taxpayers of Cook County at least a million dollars a year. I have no doubt but that that opinion is within the limit.

MR. ALLEN RIPLEY FOOTE: On the point that Mr. Bonaparte raised I wish to say this, that in 1890, when the American Economic Association had under consideration some questions referring to public services, I offered a resolution to the effect that they should formulate a system of public accounting for the purpose of determining the cost of public services, and that the accounting should be identical for publicly-owned services and for privately-owned services, so that exact comparison could be made. I have worked on that since 1890. At the last session of the Ohio Legislature I was instrumental in having bills introduced, one of them

providing for a general system of uniform accounting for municipalities, to be prescribed by the state auditor and to be audited by the state. In that system he would prescribe the form of accounts for the public service industries owned by the municipalities. Having established that point, another bill following it gave permission for the municipalities to contract with public service corporations for services on the basis that the accounts of the private corporation necessary for determining cost should be kept identical with the system prescribed for the public services; should be audited by the auditor of the state in exactly the same way. Thus we will get at an exact, *bona fide* comparison between the two systems of public and private ownership.

I find throughout the country that this movement for uniform accounting is growing very rapidly. There have been two or three attempts made for a tentative bill in the New York Legislature. It will be again undertaken there next winter. You have heard of the Indiana, Wisconsin and Minnesota attempts. The movement is now growing very rapidly, and I am heartily in sympathy with it, as I am with Mr. Baker's suggestion of bringing all of these different organizations in touch with each other upon the subject, so that we can concentrate our forces and form a trust for uniform accounting. [Applause and laughter.]

MR. BONAPARTE: I desire to offer the following resolution, and move its adoption:

*Resolved,* That the National Municipal League, assembled in this, its sixth annual meeting, records its grateful appreciation of the hospitality shown its members by the citizens of Milwaukee, and more especially by the Milwaukee College Endowment Association, and the President and members of the Milwaukee Municipal Association, and recognizes the interest shown in its purposes and proceedings by the press and people of the city, and the courtesy of all who have contributed to the advancement of its work and the pleasure of its sojourn.

The resolution, duly seconded, was unanimously adopted.

MR. JONES: I would like to say a few words regarding the new Minneapolis primary election law, and how it has worked. On Tuesday of this week we had a primary election under the new law passed by the last legislature and practically covering the county of Hennepin. The law provides that on petition anyone can become a candidate for nomination. Such petitions are circulated by the candidate or his friends, and when the requisite number of signatures is secured the candidate is obliged to file his petition with the county auditor within two weeks prior to the election. Then the names of the candidates for nomination are published in the press. On the day of the primary election the polls are open from six to nine in the evening. Citizens of any party may go to the polling place, and the same rules and regulations govern at the primary that govern in the final election in November. It becomes a registration in fact, which entitles the one registering to vote at the regular election.

Two tickets are printed, one of which is labeled at the head "Republican Nominees" and the other "Democratic Nominees," as in this election only two tickets have been presented. These two tickets are pinned together, and as the man registers he is handed by one of the judges this bunch of two tickets pinned together. He goes into the booth by himself and prepares to check by crosses the names of such candidates as he is entitled to vote for upon either ticket. Understand that all parties use the same registration and polling booth. If he is a Republican the voter will proceed to check names on the Republican ticket, but he is not barred from checking on the Democratic ticket. A man may scratch his ticket or vote for any candidates on either ticket he pleases, but his vote is counted for the ticket upon which he has placed the largest number of crosses. If he votes for eight Republicans and five Democrats he throws away his Democratic markings, and only his Republican markings are counted.

MR. BONAPARTE: Then what is the utility of the markings on the Democratic ticket?

MR. JONES: Simply to show his choice and perhaps as a compliment.

We had a candidate who had belonged to the Democratic party for fifteen or twenty years, who had held the office of mayor three times many years ago, and who was recognized by all the people as a Democrat. He posed for the first time in his life as a Republican, and asked the suffrages of the Republican party. The party through its press denounced him, did not want him, and would not have him, but under the new law he got the nomination by a majority of some seventeen hundred voters. The Democrats saw their opportunity, and went into the primary and plumped their votes for our weakest candidate, throwing away all their votes for any other Democratic nominees that they might like to favor, but giving us 7,000 to 9,000 Democratic votes to help us nominate a candidate we did not want! [Laughter.] There is primary election with a vengeance; but that is a great exception. That could never occur again—possibly. [Laughter.] It was a very clever trick and it worked admirably. I see that the papers in Minneapolis are now in very great doubt as to the entire proposition. [Laughter and applause.] Of course we must find out where the trouble is. It is possible that we must hold Democratic and Republican primary elections at different times or places.

MR. BONAPARTE: I think that difficulty can be remedied. The system which has been suggested for our state, and which I believe is in operation in Kentucky, is when a man is registered, if he chooses, he can register as a Republican or Democrat, and then when he comes to the polling booth, those who appear on the registry as Democrats will be given a Democratic ticket, and those who are registered as Republicans given a Republican ticket.

MR. FOULKE: That remedy would not begin to touch the question. In a Republican district every Democrat who wanted to hurt the Republicans would register as a Republican and vote for some miserable, corrupt man,

with the idea of defeating him in the election. The trouble is that you cannot draw the line between a Republican and a Democrat.

MR. JONES: On last Tuesday in Minneapolis there was a registration of 35,000. The largest number ever registered in three days before that was 25,000, which means that the people endorse a primary election scheme. They want to have the opportunity of going into the primary election and being able to become by their votes actual delegates. There is no convention held. They become delegates themselves, and their votes are counted. One Scandinavian told me at the polls that he never had voted before because he did not care to vote for somebody who would go to a convention and make nominations in a way he did not want, and that he had on that day had the first chance of his life to vote directly for a candidate. The voting public are enthusiastic to vote directly for candidates. The most promising result we got out of it is the enormous registration which shows the interest the public take in the matter. If we can get around the little difficulty I have mentioned we will be all right. [Laughter.]

MR. DAVIS: I would suggest that it would be advisable to take the former registration as a guide.

MR. FOULKE: How can you tell under the Australian system how a man voted?

MR. JONES: You can tell because it is in the primary.

MR. PALMER: I have heard the remedy that a man should be on the list a year, and that a year beforehand he shall designate his party. That will keep a few people who change their party from voting, but it will generally work pretty well.

PROFESSOR SPARLING: Why would not the Wisconsin caucus law extended to the primary be a sufficient remedy? Here we nominate by direct vote our delegates to convention, but each party holds its own primary, and each voter is registered as he deposits his ticket, and those lists are open to inspection, and by that method you escape what seems to me to be the trouble suggested.

MR. FOULKE: There is no way in which you can have an honest election law unless you let the Republican party determine who are Republicans and the Democratic party who are Democrats. To let the man who votes determine that, and then belie his determination at the next election, is a bad policy; and even with separate primary elections you have a great deal of difficulty in determining who are really Republicans and who really Democrats. It ought to depend upon the man himself to determine. This idea of saying a year beforehand whether a man is going to be a Republican or a Democrat on an issue that he knows nothing about and where candidates have not been nominated is undesirable. Nobody has prophetic soul enough to foretell policies and candidates.

MR. BONAPARTE: Who determines as to who is a Republican?

MR. FOULKE: The Republican committee.

MR. BONAPARTE: Then you let the boss determine.

MR. FOULKE: The primary law can provide the same penalties for bribery, etc., as the general election law, but when it attempts to conduct them in any other way than under party management, the result will be unsatisfactory.

THE SECRETARY: The very plan Mr. Foulke suggests has been carried out to perfection in Pennsylvania. We held a primary election September 11 under rules similar to those suggested by Mr. Foulke. The Republicans determined who were Republicans and who were not. In the Fifth Senatorial District the hottest fight in the whole city was waged. I know of my own knowledge that in one division only 225 votes were accepted out of 400 offered, the board of election throwing out every anti-Quay vote except twenty-five. In one division in my own ward the returning board, which consists of a judge and two inspectors, one of the inspectors was a Quay man, and the other inspector and judge were anti-Quay. The one inspector disregarded the other two and appointed a judge of his own following and an inspector. Those three received the votes and disregarded the anti-Quay man altogether, and under the excellent rule by which the party determines who are members of the party, they refused to accept the votes of any but their own men. It is one of the rules in Pennsylvania that any man who shall vote for the head of the last state or national Republican ticket shall be considered a Republican, entitled to vote at Republican primaries. As a matter of fact, some interpret that as meaning those who voted for McKinley in 1896 and some interpret it as meaning those who voted for Colonel Barnett for state treasurer. It depends on whom they want to exclude.

Mr. La Follette, of this state, seems to have gotten nearer to it than any one else. He provides essentially for a second election, and the application of the Australian system to the second election. I believe that the only true solution, however, is to do away with party nominations.

MR. FOULKE: The evil in Pennsylvania is less than in Minnesota [Laughter], because although you may get very bad men, the responsibility of it is with the party; but that the Republican party should be made responsible for Democratic nominations and *vice versa* is entirely too bad. You get into inextricable confusion, and there is no one upon whom to lay the responsibility.

THE CHAIRMAN: I think, gentlemen, that you have perhaps reached as near a conclusion upon that subject as may be expected.

Upon motion the meeting adjourned *sine die*.

# APPENDIX

CONTAINING THE

PAPERS READ BEFORE THE MILWAUKEE CONFERENCE

FOR GOOD CITY GOVERNMENT.

# A YEAR'S MUNICIPAL DEVELOPMENT.

CLINTON ROGERS WOODRUFF, PHILADELPHIA,
Secretary, National Municipal League.

The Proceedings of the First Conference for Good City Government, published in 1894, contained a bibliography of the literature of municipal government and its betterment. Thirty-nine pages sufficed for this purpose. The first number of *Municipal Affairs*, published in March, 1897, contained a similar bibliography, which required two hundred and twenty-four pages. A new edition is in process of preparation and its editor advises me that upwards of five hundred pages will be required to accommodate the references.

The Philadelphia Proceedings also contained a brief account of the then existing municipal reform organizations in the country. Forty-five were described. This year the National Municipal League has one hundred and nineteen organizations on its roll of affiliated members and its records show a grand total of four hundred and sixty-three devoting all or a part of their time to the study of the municipal problem.

These figures tell their own story. They tell more directly and forcibly than a hundred pages of manuscript of the phenomenal growth of interest in municipal affairs within the past decade.

When we review the shortcomings of a year we feel as if the situation were indeed grave; and so in truth it is. The official recognition and protection of vice and immorality in many of our large cities; the utilization of public power and office to serve private ends; the prevalence of official blackmail; the prostitution of public offices and contracts to serve mean and selfish party and factional ends; the sinister influence of corrupt corporations, present a picture at once dark and forbidding and constitute a problem of serious import and difficulty.

The situation, however, is by no means hopeless. For every year brings a keener appreciation of its gravity. Every year brings new forces into the field to combat the forces of evil. Every year witnesses a development of public sentiment in the direction of higher municipal standards, and advances along definite lines. Widespread corruption and political degeneracy cannot long prevail in the face of widespread investigation and discussion, and efforts at improvement. If the National Municipal League has served no other function, it at least has served to show that serious as the present municipal problem is, the outlook is full of hope and promise.

One great difficulty with municipal reformers in the past as well as in the present has been a too great desire to get ahead and to introduce the political millennium without adequate political preparation. In other words they have failed to appreciate and realize, even though they may recognize it, that political instincts and institutions are of necessarily slow growth. People do not change their political habits in a day. When we appreciate how difficult it is to secure agreement among a few, is it any wonder that we experience difficulty in influencing the minds and actions of tens and hundreds of thousands? And yet this is what we must do if we are to secure permanent municipal reform.

The recent experience of New Orleans illustrates the point in question. In 1896 the burden of the "ring" had become intolerable. The voters, under the leadership of a public spirited Citizens' League, founded on those principles for which the National Municipal League stands, won an overwhelming victory. They drove the rascals from power; sent a number of them to jail; elected honorable, honest and capable men to succeed them. Forthwith reforms far in advance of public sentiment were inaugurated and the usual results followed. The voters grew tired of maintaining so exalted a standard and a reaction set in. They had not been trained to persistent effort. The experience, however, has, on the whole, been beneficial rather than the reverse and the people of New Orleans having had one taste of decency will not long rest content under machine rule. Gradually a permanent sentiment for better government will be

formed in the face of adverse conditions, which will last longer than if formed in the heat of a single campaign.

The persistency of the organized effort for municipal betterment is an equally encouraging factor. Many of the organizations that were at work in 1894 at the time of the Philadelphia Conference, or were formed shortly thereafter, are still at work, with no sign of abandoning their efforts. The City Club of New York, the Municipal Leagues of Philadelphia and Milwaukee, the Civic Federation of Chicago, the Merchants' Association of San Francisco, the Reform League of Baltimore, the various civil service reform bodies, have done more than maintained an existence. They have increased in power, efficiency and influence. Indeed I could easily utilize this entire report with an account of their activities during the past year, and it would be both encouraging and instructive. Spasmodic efforts at reform have given way to regular and systematic endeavors. Of course greater difficulty is of necessity encountered in the maintenance of such organizations because they can only appeal to the unselfish civic patriotism of the citizen; while the "machines" and "rings" can and do appeal to the weaker side of ambitious, selfish and designing men. That reform bodies can and do maintain their existence and extend their influence from year to year shows conclusively that civic spirit is growing in extent and wisdom.

In three states charter reform has occupied a prominent and conspicuous place during the past two years. California, Minnesota and Wisconsin easily occupy the first place in this matter. San Francisco's new charter went into effect January 1, 1900, under the auspices of an administration that had been largely responsible for its adoption and was friendly to its proper enforcement. The results thus far have been satisfactory to the friends of municipal reform, including the Merchants' Association of the city, which, with Mayor Phelan, shares the responsibility and credit for its adoption and inauguration. Of course there have not been wanting those who feel disappointed because the millennium is as yet in the future and because there have been some mistakes made. These mistakes have their lessons, however, for the wise administrator and should not be

permitted to obscure the predominating excellent features of the charter and of its administration.

The experience of San Francisco has been such as to encourage other California cities to take steps to secure newer and more modern charters. Under the Constitution and the laws of the state a Board of Freeholders, fifteen in number, can be appointed charged with the duty of drafting a charter, submitting it first to the voters and then to the legislature. This system constitutes an imperfect system of home rule. The people can protect themselves against the enactment of an inadequate or pernicious charter, but they cannot make sure of having their affirmative desires carried out.

The San Francisco charter, while hardly entitled to be classed as a model, is an advanced piece of work and represents careful thought and study of the situation and an intelligent comprehension of the problems confronting modern cities. Its influence has been for good and the movement for improved charters in California has been materially helped and strengthened by its example.

In Minnesota a recently adopted constitutional amendment permits the framing of home rule charters.

Under this and the enabling acts passed by the legislature, the local courts are authorized to appoint upon petition a commission to draft and submit a charter at a special election. A four-sevenths vote is necessary for adoption. Minneapolis has twice availed itself of this opportunity. The first effort failed of public approval; the second, which is regarded as a much better instrument, will be submitted to the voters in November. St. Paul has adopted a new charter, which, while it represents an improvement is signally defective in that it contains no civil service provisions. The reform bodies of the city supported it, however, with great vigor because of the other substantial and important changes which it did contain. Duluth has also adopted a new charter and numerous other cities in the state are considering the question.

The whole movement has been a healthy and a hopeful one and argues well for the future. An analysis of the new instruments is out of the question in this connection. It can be

said, however, that they represent advances along many lines and that a larger measure of good government is now possible than formerly. That they represent an improvement and a certain amount of antagonism to corrupt methods is clearly demonstrated by the vigorous opposition of vested political interests to which they were subjected.

In Wisconsin, the League of Municipalities and the Milwaukee Municipal Association have continued an intelligent interest in the whole subject of municipal improvement. I know of no state where the prospect is more hopeful. I say this not as a graceful compliment for manifold courtesies in connection with our present meeting; but because a somewhat close observation of your situation and a personal acquaintance with the active spirits has led irresistibly to that conclusion. Where the chosen officials of the cities show an intelligent and generous disposition to co-operate with public spirited citizens, there I believe exists a condition of affairs fruitful of great good to the community.

In Iowa, the late legislature authorized the appointment of a Municipal Code Commission. In Wilmington, Delaware, the Board of Trade has continued without abatement its efforts for a new charter. The city solicitors of the Pennsylvania third class cities are at work on a new act to improve the present system in vogue among them. In Spokane, Washington, a movement for a new charter is contemplated. Mobile, Alabama, has succeeded in securing a new one.

The past year has witnessed the practical application of a new charter in Baltimore. This has been attended by a considerable reduction in the rate of taxation (from $2.00 to $1.67 per $100 of assessed value) and by the reorganization of nearly all branches of the city government. In the fire department, the police force and the public schools the merit system has been, to a greater or less extent, introduced. Non-partisan boards have been placed in charge of the schools, charities and some other branches of the municipal administration and a very commendable spirit of economy has been shown by the City Council and Board of Estimates. It is not yet quite clear to outsiders what should be thought of Mayor Hayes. Some of his appointments,

indeed we may fairly say the bulk of them, have been apparently satisfactory to the local friends of good government, but a few have been severely censured, and he seems to have behaved occasionally in an erratic and arbitrary manner.

Complaint is also made that some persons of bad reputation or scandalous life have obtained employment in subordinate positions in the city's service, and that Republicans have been systematically removed and Democrats systematically chosen for appointment. There seems to be some ground for these complaints, but the general opinion among those best qualified to judge is that Mayor Hayes has done much more than was done by any previous mayor to place the municipal administration on a non-partisan, business basis, and has fully justified the support accorded him by independent voters at the first election under the new charter. The charter has shown itself a valuable safeguard against extravagance and corruption. The experience of the past year in Baltimore has been, on the whole, decidedly encouraging to reformers.

In Greater New York, a Charter Commission appointed by Governor Roosevelt is at work devising ways and means to correct the defects and evils of the charter of 1897. That instrument was necessarily somewhat of an experiment along certain lines and only a very few years have been needed to develop its weak points. Dr. Frank J. Goodnow, who was a member of the National Municipal League Committee on "Municipal Program" and who took a large part in formulating and drafting its report, is a member of the Commission, contributing largely to its deliberations.

It may not be amiss in this connection to refer to the appointment by President McKinley of another member of the League's Committee—Dr. L. S. Rowe, to be a member of the Porto Rican Commission. Horace E. Deming, who was chairman of the Committee, and Dr. Albert Shaw, a member, have likewise contributed largely to the Greater New York Charter discussion. Other members of the Committee have been equally active in their respective localities and for that matter elsewhere (for they have been frequently called to other cities for consultation) in advancing the principles embodied in the Program.

Inquiries concerning this important contribution to the solution of the problem have been frequent during the year. The reports of the League have been very generally used by the Havana Finance Board, charged with the responsible duty of drafting a charter for that city. Three of its members are associate members of the League. From Honolulu, from Switzerland, from Italy, Belgium, England and France have come letters seeking information concerning not only this particular piece of work, but our work in general.

The leading papers read at our Indianapolis and Columbus Conferences bearing on the Program together with the final text of the Constitutional Amendments and the Municipal Corporation Act and an introduction by Dr. John A. Fairlie have been published by the Macmillan Co. in a separate volume, which has had a considerable circulation among those seeking information on this important branch of the subject. The praise bestowed upon the League by competent and discriminating critics for its work in formulating the Program is such as to justify the effort. There has been a general belief that it constitutes a substantial and important contribution to the science of municipal government.

The discussion of the Program in this, in Ohio, in Wilmington, in Greater New York, in many other cities, where charter reform is a leading question, has been considerable. Many of its principles were incorporated in the report of the Ohio Municipal Code Commission; but as that body sought to introduce too many new ideas without the requisite antecedent preparation of public opinion, its report was rejected by the Ohio Senate. The reforms for which it stands, however, are bound to be adopted sooner or later; but the public mind must be prepared for them and the public habits conformed to them gradually. Too frequently charter commissions and reform administrations undertake to introduce too many innovations and the public capacity for changes is quickly exhausted. Protracted discussion and agitation must precede the adoption of concrete, advanced reforms, otherwise there is a great danger of a serious reaction.

There has been no serious setback for the cause of municipal

civil service reform except in New Orleans. There the excellent law of 1896 has been subjected to a process of emasculation by the machine and the system reduced to that of Philadelphia. That is to say certain of the elective officials who are also appointing officers have been constituted the Civil Service Board, with power to make rules and regulations. The result will be what it has been in Philadelphia, a travesty on civil service reform. In the latter city during the present administration the mayor's choice selected and announced, in some cases, months beforehand, have been passed with averages of 100. All that can be said of the Philadelphia and New Orleans system is that it keeps out the very worst applicants. It does not represent any substantial barrier to an unscrupulous official or machine. The constitutionality of the New Orleans changes has been questioned and is now pending in the courts.

In Chicago the politicians have been foiled in their attempts to throttle and eliminate the merit system. The Democratic party a year ago specifically declared against it and lost the election. Within six months it changed its attitude and the enforcement of the law has been placed in the hands of a friendly commission. The constitutionality and popularity of the system established, it begins to look as if it had become a fixture.

In New York the Roosevelt Act is justly regarded as a long step in advance and by far the most satisfactory piece of legislation on the subject thus far enacted. In New York City as in Chicago it looks as if Civil Service reform had come to stay. Future contests are much more likely to be waged for its extension rather than for its safety.

The civil service provisions of the San Francisco charter are said by Dr. Albert Shaw to be "the most advanced of any modern municipal instrument." Mayor Phelan has shown his friendship for the merit system by appointing a friendly commission, with J. Richard Freud, of the Merchants' Association, as chairman. Three suits instituted to test the constitutionality of the civil service article have been decided in its favor.

While not wholly agreeing with those who maintain that civil service reform is the "only cure for our much lamented municipal ills," I do believe that there can be no complete transformation

of our municipal politics until the offices are removed from the reach of spoilsmen. The establishment of the merit system in our cities is essential to the betterment of our city governments and all efforts directed toward the establishment of a sound public opinion on this subject are to be encouraged. Our numerous civil service reform associations scattered through the country are therefore to be encouraged and so the women's auxiliaries; but we must be careful to guard against the view that there is but one panacea for our ills. I think we shall find that we will have a municipal problem on our hands even after the merit system has been generally inaugurated.

For instance are not just, equitable election laws fundamentally essential?

Can any community long retain a democratic form of government, even though the most approved and most stringent civil service regulations may be in force, if the election laws connive at and protect frauds and are so arranged as to enable corrupt men to maintain their creatures in office? Ballot and electoral reforms form paramount issues in certain states at this time. In Pennsylvania a Union Committee representing the Ballot Reform Association, the Civil Service Reform Association and the Municipal League has been formed to promote the cause of electoral reform in the state. The politics of Pennsylvania have achieved and retained their unpleasant and unfortunate notoriety largely through the existence of a set of laws that make frauds at elections easy of accomplishment and difficult of detection; which facilitate the election of machine men and discriminate against the honest independents. Until Pennsylvania has fair and adequate election laws it is almost useless to talk of other reforms. The present prospect favors the enactment of a law that will place all voters and all candidates on a parity, and the adoption of a constitutional amendment and laws which will make personal registration possible and will introduce other much needed regulations and safeguards.

The Municipal League of Philadelphia for years has been laboring to bring about these reforms and the present bright outlook is undoubtedly in very considerable part due to its persistence. In 1897 the constitutional amendment was prepared

by one of its committee and presented to the legislature by its counsel. It failed of passage at that session, but in 1899 was again introduced and this time passed, only to meet with the governor's veto. The League questioned his right to take this action and instituted a suit to determine the scope of his authority. The lower court decided against the League's contention; but the Supreme Court sustained every one of its points and denied the right of a governor to prevent the people from passing on proposals to amend the constitution which have had the sanction of the legislature. The amendment must now pass another legislature before it can be finally submitted to a vote of the people.

The League's victory has been considered by the leading papers of the state, not identified with the machine, as one of the most notable reform victories achieved in the state.

The plight of Kentucky under its present election law is well known. The reform forces of that state have laid aside every other consideration and measure and concentrated their energies to secure "A Fair Election Law." A non-partisan committee has been formed which has been conducting a vigorous campaign for the repeal of the infamous Goebel Law and the enactment of a statute which will safeguard the liberties of the state.

The existence of a law which makes it possible to throw out the entire vote of a large and influential city like Louisville is a menace to free government. Until it is repealed public activities are of necessity paralyzed and every privilege for which our forefathers struggled placed in jeopardy. The civic spirit of the state is very much alive and is working as best it can against such tremendous odds to defeat a machine which has stood sponsor for so iniquitous a measure.

In Missouri another partisan statute stands in the way of healthy political activity. It was conceived in partisan spite and to promote partisan advantage and those who have been entrusted with its enforcement have followed in the spirit of its conception. The prostitution of the offices to partisan ends is bad and reprehensible; but it is as nothing compared with the postitution of the instruments which freemen use to express their opinions and wishes on public affairs.

In Wisconsin the movement for electoral reform has taken a

somewhat different form. One of your gubernatorial candidates, through a splendid effort covering a period of at least four years has awakened the voters of the state to the urgent necessity of a reform in the methods of nominations. In essence he advocates the nomination of all candidates by the Australian ballot at what would, to all intents and purposes, be a preliminary election. Mr. La Follette's suggestions are worthy of the closest study. His suggestions are in the right direction and indicate a temporary relief; but eventually we must make the means of placing a candidate absolutely free, equal and open. Nomination by petition in short is the most effective way to prevent the evils in nomination which have been so effectively portrayed and condemned by Mr. La Follette and the Republican party of the state, which has embraced his views on the subject.

The machine has had few more valuable privileges than that of controlling nominations and a straight column on the ballot. It will yield this advantage reluctantly and only after a prolonged struggle; but freedom and equality of nomination and balloting must be secured if the full measure of democratic municipal government is to be attained.

One of the great obstacles standing in the way of that separation of the consideration of municipal affairs from state and national politics, for which this League pre-eminently stands, has been the existence on the statute books of laws which place a premium on straight party voting and discriminate against the independent voter and candidate. A citizen fully determined to vote his convictions in this direction finds after entering the polling booth that the tickets and the distribution of the offices have been so arranged that it is a matter of great difficulty for him to carry out his intention. What with the complex duties imposed upon members of the legislatures, who select the United States Senators, pass state laws and determine the form and conditions of municipal governments; and the absence of municipal home rule in letter or spirit and the existence of a partisan ballot, the reformer interested in divorcing municipal questions from state and national ones has a hard task before him. Our present form of government almost inextricably mixes our national, state and municipal politics, and partisanship has devised a further means

of perpetuating itself through establishing a straight party column and a monopoly in the matter of nominations. The election of United States Senators by a direct vote of the people would eliminate national politics from our state legislatures. The establishment of municipal home rule would eliminate municipal questions from them.

The inauguration of free and equal nominations and the abolition of party columns would complete the work of separation and the citizens of our municipalities would have what is now denied them, an adequate opportunity to determine municipal issues from a municipal standpoint.

Municipal home rule must be established if we are to obtain local self-government. The evils of depending upon a source of authority outside of itself have and will rapidly multiply. New York City furnishes a striking lesson of the damages of such dependence. The people of that city are constantly resorting to the legislature at Albany for relief from local conditions, overlooking their ability to apply their own remedy at home. Consequently a feeling of dependence has been engendered and the voters feel that if they should make a mistake in the choice of local officials they can be saved from the results of their folly by an appeal to the legislature.

There has been no abatement of public interest in the subject of the municipal ownership of municipal monopolies. Indeed, there seems to be a general acquiescence in the contention that each city should own all its franchises; although there is still a great diversity of opinion as to whether the city should control or operate them. There are few indeed who are willing to maintain that a city should give away or sell for all time the right to run street railways, to furnish heat, light, water, or other municipal necessities. To advocate such a policy would be to sanction the utilization of city property for the benefit of the few at the expense of the many. There are a few who are willing to do this, so that the discussion has practically narrowed itself down to the determination whether the city shall merely control the franchise in a general way, reserving a fair rental or whether it shall actually operate the plants directly. In considering this phase we find that the consensus of opinion seems to be in favor of the

operation of water plants and the control of street railway operations, with opinion about equally divided on the subject of lighting. One thing is perfectly sure and that is as a result of all this discussion concerning municipal ownership, control and operation, there has been a material improvement in the conditions which the city has been able to impose; and, secondly, the discussion has interested the people, as nothing else has succeeded in doing, in questions of local government. Matters pertaining to water, heat, light and transportation come home directly to the average citizen and any policy affecting them appeals to him as no others do.

A strike like that which recently convulsed St. Louis also serves to awaken the people to the dangers incident to the private control and operation of important municipal functions. For suffer as we may from municipal corruption and inefficiency they seldom, if ever, reach a point where violence and bloodshed follow. Furthermore voters are coming to realize that the existence of rich corporations in a community dependent upon or seeking municipal favors and discharging municipal functions form a serious menace. Who that does not recognize the serious import of the Ramapo Water Company's alliance with a nefarious political combination? The united efforts of a courageous governor and a fearless comptroller and public spirited organizations like the Merchants' Association have been needed to check its aggressive efforts.

When was the good name of Philadelphia more seriously endangered than during the successful attempts to pass the Gas ordinance and the Keystone Telephone ordinance and the unsuccessful attempt to pass the notorious Schuylkill Valley Water ordinance? Out of the Keystone Telephone ordinance has grown one of the gravest scandals of recent years. So flagrantly unfair were the terms of the ordinance and so patent the intentions of its backers that the press of the city with but few exceptions united in condemning its nefarious provisions and its equally nefarious surroundings. So keen and so direct was the criticism that the local administration through its Director of Public Safety, in charge of the police of the city, resorted to blackmail. Mr. John Wanamaker, whose son owns the *North American,* one of the

most vigorous of critics, was visited by the official in question and threatened that if he did not cause that paper to stop its comments he would publish certain affidavits of a derogatory character which he had been gathering for six months.

That an influential official should use the enormous powers reposed in him by the laws of the state to seek out and destroy those who had the courage to point out and criticise the shortcomings of the administration filled the community with horror. A great mass meeting was held in the Academy of Music under the auspices of the Philadelphia Municipal League to protest against official blackmail and the gross abuse of official power. Not for many years has so great a mass meeting been held in the city. Never have the people been so outraged. While there does not appear at this time as if any legal action can be taken to punish the offenders, it looks as if the people would apply the best and most drastic of remedies—the defeat of the administration's candidates, when they offer themselves for the suffrages of the people.

The cry for municipal ownership in the abstract has often been made the cloak to hide some corrupt and selfish ends. By this I mean very often a city administration has advocated the policy of public ownership while following out ulterior purposes of public plunder. This may be taken as an illustration of the popularity of the policy or of the difficulty of establishing more than a very few reforms at a time.

It is simply out of the question to mention the places where municipal ownership, control and operation have been discussed or partly inaugurated. The list includes nearly every state and practically every city of importance. In many localities the successful operation of the water and gas supply by the municipality "can well be designated as the most notable municipal event of the year." For instance, Duluth, Minn., feels a just pride in the success of its water and gas plants, which were acquired a few years ago after a long struggle and then placed in the hands of a competent engineer who was to be subject to no political clique or influence. "Not the faintest inclination has been shown to use the department or myself," writes the manager, "for political purposes. And therein lies the secret of our success." Rates have been reduced, the service has been made pleasant and agreeable

to consumers, special privileges have been abolished, interest on the investment has been paid and a surplus accumulated. If this can be done in Duluth; if honesty, economy and intelligence can be introduced there, why is it not equally feasible to do the same elsewhere? It is; and if a story of honest business conduct of every day affairs could secure readers, a long one could be made out, but people much prefer to hear a tale of shortcoming and consequently we hear more of the failures of municipal control and operation than we do of the successes. Naturally we conclude that the former are the rule; the latter, the exceptions. We might as well conclude that vice and immorality are the rule because the average newspaper devotes more prominence to them than it does to virtue and honesty. Yet we know from our own experience that the reverse is true.

I would that it were possible to describe the forward steps taken in the direction of making our cities of larger usefulness and benefit to their residents, especially to those cut off by circumstances from domestic comforts; but they are too numerous.

The establishment of public baths, ice plants and municipal lodging houses, additional parks, playgrounds and public squares, the opening of schoolyards during the summer as playgrounds under the superintendency of competent instructors, public concerts and lectures indicate the trend of recent municipal developments. In this work the women of our cities are taking an active hand. Women's improvement associations are multiplying in numbers and increasing in usefulness.

Along these, and more strictly educational lines, women have a field for activity, which they have not been slow to utilize. Through the medium of auxiliary committees, as well as through separate organizations, they have taken up civil service reform and bid fair to prove an important factor in the creation of that public opinion without which carefully devised laws will be of but limited efficiency.

Boards of Trades and similar commercial bodies have likewise been enlisted in the cause of municipal improvement and the creation of sound public sentiment. As a rule somewhat more timid than organizations which devote their whole energies to reform work, they can reach and influence a class in the com-

munity, which is inaccessible to all other agencies. The records of bodies like the Merchants' Association of New York in connection with the fight against the Ramapo job; of the Commercial Club of Indianapolis and its succesful work for a new charter for that city, and of the Merchants' Association of San Francisco with its Municipal Program, to which we have already alluded, form a substantial contribution to the work for municipal betterment. The Pittsburg Chamber of Commerce and the Scranton Board of Trade have recently taken the leadership in their respective communities in forming auxiliary committees to promote the cause of ballot reform.

An increasing number of such bodies have made municipal reform in some one of its branches at least a feature of their work and many, I think, show a growing desire to co-operate with other bodies in fighting corruption and inefficiency and in establishing higher municipal standards. The number of boards and chambers admitted to affiliation with the National Municipal League shows a steady increase.

The shortcomings and reverses of the past few years are fortunately not numerous. They are moreover full of meaning and instruction to those sincerely desirous of improvement. Reference has already been made to the victory of the ring in New Orleans, the defeat of Mayor Flower for re-election and the setback for civil service reform. If the well-wishers of New Orleans but read the lesson aright, the experience will not prove one of unmixed evil.

The blind and selfish partisanship which gave New York four years of Tammany rule by defeating Seth Low, gave to New York City in its comptroller, one of the most vigorous and promising figures in municipal life to-day, and likewise made possible the election of a governor, a year later, who has through his initiative and splendid leadership placed many wholesome laws upon the statute book. Pittsburg reformers after several years of futile effort and discouraging defeats have taken fresh courage and a new view of the situation. Their co-operation in the ballot reform movement bids fair to open up new avenues of usefulness. We must not forget that a desire for municipal right-doing is of slow growth. A hastily expressed wish is often as quickly suppressed.

Cincinnati a year ago rebuked its ring by defeating its candidates, but the instruments used proved inadequate to the task imposed upon them. There was a brief resentment felt, but not a deep-seated desire for reform, consequently there was little, if any, discrimination in the selection of candidates; and the usual results followed. What an old, old story. Disgust at long continued debauchery; a sudden determination to change matters; support of the first set of men who will promise relief; their election; the subsidence of public interest and a reversion to former practices by officials and to civic indifference by the citizens. Too often the people content themselves with a mere exhibition of their power, not caring to direct that power to definite ends. Such exhibitions amount to but little in the long run.

The principal work of the Milwaukee League, now known as the Municipal Association, during the past year, has been its opposition to the street railway company in its efforts to secure undue advantages from the city for a grossly inadequate consideration. In this it also opposed a city government originally elected expressly to protect the city against the road's encroachments. An ordinance was introduced in the interest of the road granting a ten years' extension of franchise, otherwise terminating in 1924, and twelve new franchises extending to 1924 and of great aggregate value. For this it promised to give the people a fare including one transfer that shall not exceed five cents, with six tickets for twenty-five cents, or twenty-five for one dollar, good between 5.30 and 8 a. m. and 5 and 7 p. m. until January 1, 1905, when the same fare was to be extended over the entire day.

In view of these conditions the League held the first public meeting of indignation and protest when such a course required a good deal of courage. It condemned the ordinance with unsparing vigor, but scrupulously avoided personalities. As a result a large and representative committee was appointed to oppose the ordinance before the Common Council, and this was the beginning of a long and bitter contest between people of all classes and the street railway and city government. Indignation meetings were held in all parts of the city, two of them called by the League and the upheaval will not be soon forgotten. Unfortunately the meetings were not always conducted as exclusively

upon the merits of the case as the initial meeting had been, and it is believed in some quarters that this may have been conducive to an unfavorable result, the passage of the ordinance in the face of injunction proceedings and general adverse popular opinion. Litigation growing out of the controversy is still pending in the Wisconsin Supreme Court. The position of the League was that the ordinance was a serious infringement of the interests of the city and the duty of the city government was to continue the existing conditions until such time as the road should make a more equitable proposition.

Chicago has taken a sensible course in regard to its railway franchises, its Board of Aldermen having appointed a Street Railway Commission with a competent secretary, to consider the subject in a thorough and systematic manner against the time when the extension ordinances must come up for consideration. The feature of the situation in Chicago which deserves emphasis is the breakdown of the non-partisan organization of the council, as the result of partisan activity. There has been a wonderful improvement in the Chicago City Council within the last few years—due very largely to the work along independent lines of the Municipal Voters' League and similar bodies. The voters were educated up to the point where they would vote for the best men for city offices, regardless of national party affiliation. This work was consummated by requiring from the aldermen running with the League's endorsement a pledge to organize the Council on non-partisan lines. A year ago the Council was so organized. Last spring the pledge as to non-partisanship was made stronger than ever. Before the election there was some talk of organizing on partisan lines; but the League and the independent newspapers at once challenged this talk, with the result that the idea of partisan organization apparently was abandoned and the League's pledge was signed by all the aldermanic candidates who had the League's endorsement. After the election the majority met in caucus as partisans and finally put through the committee slate approved by the caucus. The personnel of the Council is good and of the committees, fairly good. The fact, however, that the Council was organized by a party caucus, in violation of the pledges made by a majority of the caucus to organize on non-

partisan lines, gave rise to much criticism and is regarded as discouraging. It is taken to mean the reintroduction of partisanship into aldermanic elections and next spring voters no doubt will be urged to adhere to party lines on the ground that the men elected are likely to act as Republicans or Democrats, as the case may be, when in office.

The Municipal Voters' League, in a report dealing with the subject, has called attention to the difficulty of securing and holding a good Council under the partisan system of nomination and election. It points out that the candidates offered by the party organizations are frequently weak or colorless where they are not openly bad. In short, the partisan system does not operate to bring to the front the strongest men. Under the partisan system of nomination and the partisan ballot there is a limit to the betterment of conditions. Improvement can go only so far and it must halt. It is the opinion of leading officers of the Municipal Voters' League that the best results in city affairs can only be attained when the non-partisan ballot shall have been substituted for the partisan ballot. Probably the next legislature of Illinois will be asked to provide for such a ballot in city elections. Chicago's experience amply reinforces the contention of advocates for a non-partisan ballot, as outlined in the Municipal Program. Partisanship must be eliminated from our laws even if we cannot altogether eliminate it from our political considerations.

So much has been said concerning the hopeful tendencies and the various setbacks of the past year that but little space is left for a recital of the victories of the year. Some have already been incidentally referred to in other connections; of the remainder a few will be touched upon simply by way of illustration and to encourage those who are striving to bring about a better condition of affairs.

In June last Portland, Ore., held a most interesting election. Oregon cast a large Republican vote. Indeed the sentiment in this direction was reported to be greater than ever before. Yet in face of this Portland elected nearly its entire Citizens' Ticket, on the platform "Hands Off City Affairs." All the independent State Senators and at least ten of the twelve Representatives

were chosen, notwithstanding the strength of the Republican organization and the running of the political tide in its favor. So vigorously has the sentiment grown that county and city offices are matters of business and not of politics and should be freed from constant legislative trickery that the people have served notice that there must be an end to machine interference. The significance of the victory lies in that the candidates which were not interested in local affairs received a tremendous Republican majority, while politicians whom the people knew were interested adversely to them or who had voted for the political control of city departments were soundly beaten.

The election of Washington Gladden as an alderman in Columbus, Ohio, is an event of national significance. That so competent and so well-informed and so independent a man could be elected speaks much for the district he represents and for his influence in it. That one so busy should accept the onerous burdens attached to aldermanic duties is an example the force of which should not be lost upon those men who advocate good government but refuse to make sacrifices for it. As a leading paper in commenting on his acceptance said, "If Dr. Gladden can find time to go into the Council there is no excuse that will suffice to release any man."

The election of Professor Samuel E. Sparling, of the University of Wisconsin, to the Madison Board of Aldermen, and that of the Rev. Norman Fox, D. D., to be mayor of Morristown, N. J., teach the same lessons. When voters will elect such men to office and when such men will accept office the solution of the municipal problem is not a hopeless task.

Philadelphia's Municipal League won a notable victory in February by electing four of its magisterial candidates over those chosen by the machine. In Rochester the Good Government Club has secured and held a position as a balance of power to the manifest advantage of the city's best interest. Troy, N. Y., has witnessed the overthrow of the ring's candidates in face of twenty-five years' control. Comptroller Coler has increased his hold upon the confidence of his constituents and has proved a thorn in the side of those whose interests were inimical to the city's. Boston defeated by a decisive vote an attempt of the

street railway company to reimpose surface tracks on Tremont street, after the expenditure of millions in the construction of the subway. The good government organizations of Detroit and Cleveland have successfully continued their much-needed work of discrimination between candidates.

There are many other points which of right should be touched upon in this report, but the year's development has been so extended and varied, the movement has grown so vigorously and the agencies for betterment multiplied so rapidly, that it is simply out of the question to touch more than a few phases and those but generally. This, however, we must all agree affords ground for encouragement and reasonable hope, and amply justifies the continuation and extension of the work for which the National Municipal League stands.

# THE ESSENTIAL ELEMENT IN GOOD CITY GOVERNMENT.

CHARLES J. BONAPARTE, BALTIMORE.

The present is the eighth conference to promote good city government in the United States held under the auspices of the National Municipal League. I learn from our secretary that no less than four hundred and fifty-nine associations, or groups of associations, have been invited to take part in its proceedings, every section of this country being represented among them. and all having for, at least, one of their objects to promote good government in one or more of our American cities. The great majority of these societies have been formed since the organization of the League six years ago, and we hear of a new one with analogous aims almost daily. They invariably count among their members the most generally esteemed, enlightened and philanthropic citizens of their respective communities; they have been organized among women, as well as men, and in almost every class of society.

It is a safe inference from an agitation so spontaneous and so widespread that the subject of good city government has attracted general attention, and awakens a lively interest in the American people, and it cannot, I think, be otherwise than timely to submit for public consideration some suggestions as to the really vital conditions of the problem involved, and to remove if possible what seem, to me at least, to be serious misconceptions as to certain of its features.

To have a good city government in the United States we must, first of all, and before all else, have good citizens. Burke's well known words have been often quoted; they have been even quoted more than once by me; but we cannot too steadily remember that, as he said: "There never was *long* a corrupt government of a

virtuous people." When we find any self-governing community afflicted with chronic misgovernment, we can safely and fairly believe that it does not deserve a better fate. It may indeed *wish* to be well governed, just as many a drunkard, in his seasons of repentance and headache, wishes he were temperate, just as many a defaulter, as yet undetected, in saner moments wishes he could repay what he has taken, and feel himself once more an honest man. But, as such men do not wish hard enough to keep away, the first from the bar, the second from the faro table or Wall street, so such a nation, state or city does not wish hard enough for good government to make bad government impossible. I remember the story of a man who had been run over in the street: a sympathizing crowd gathered around him, and many expressions of compassion were heard. A preoccupied man, hurrying to his business, stopped, took in the situation with a rapid glance, and said: "Well, friends, I pity him one dollar's worth for a hack to take him home; how much do you pity him?" Of course, we are all patriots, especially in a presidential year, but what is the value in dollars and cents, in sacrifices of money, time or personal inclination, of our patriotism? We long to see good and wise men in public office, the people's burdens light, the people's work well done; but if we put this longing in the scales, what will overbalance it? Will blind and paltry prejudices of party or race or class or creed outweigh it? Will some mean and trivial gratification to self-interest or vanity outweigh it? say, the hope of quartering an incompetent relative or dependent on the taxpayers for support? say, the prospect of becoming a presidential elector or a colonel or general on the governor's staff? Will sheer indolence and cowardice outweigh it? the dread of unaccustomed distasteful work? the fear of abuse and personal enmity? Will it be found wanting when matched against the mere squeamishness which runs away from coarse and ugly surroundings, however vital the task to be done in their midst, much as a man might rather die of typhoid fever than clean out a sink? If such is the measure of our patriotism, if such is the moral advoirdupois of our citizenship, we need not wonder, we ought not to complain, if, while we are finding excuses for not doing the work of our government in our interest, some one else

does it for us in his own. You have all heard the well known fable of the man who sells his soul to the devil: Satan is to give him wealth and high station and worldly prosperity in return, and does it; the other party to the contract, after getting the agreed price, always tries to cheat him out of he goods sold, but the devil is too bright for him and enforces specific performance, according to the letter of the bond. We should like to thus deal with those who rule us, to have them spare us all the burdens of our freedom, and yet gives us all its benefits; but they don't do it.

Because we cannot expect a perfect government, whether of an American city or of anything anywhere else, unless and until the people governed are also perfect, which is not likely to happen, here or elsewhere, in our time, the conclusion is not infrequently drawn that meantime any improvement is hopeless; but this is a grave mistake. No doubt, as there never has been, so there never will be, a perfect government of men by men; but there have been, there are now, much better governments of great cities than those we live under in the United States of today, and I believe that there might be better city governments now and here than any which the world has known in this country or any other. The true lesson is that the question of good government in American cities is essentially a moral and only incidentally a political one; indeed this is true of all governments in all countries, but more clearly and emphatically true of a popular municipal government that of any other. I mean by this that what the friends of good government in America, and especially in American cities, have to do is much less to devise methods for the efficient and economical administration of public affairs than to clearly and frequently set forth and constantly and forcibly impress on the attention of their fellow-citizens the true and admitted ends and principles of government and the daily manifest and grievous derelictions of duty on the part of public officers and of the voters. If, for example, one finds some great department of a city government, through which millions of dollars of public money are annually spent, in a welter of confusion, extravagance and suspected peculation, the remedy is, not to give its head a new name or to put it in the hands of three men instead of one or *vice versa,* but to thoroughly expose its abuses, ad-

equately punish the man or men responsible for them, and give it a head (how called and whether made up of one person or of more than one are matters of very subordinate importance) under whom such abuses shall become, and be seen by all to have become impossible for the future.

I must not be understood to mean that constitutional provisions and laws and ordinances, or systems and rules of administration may not be material factors in the problem; what I wish to make clear is that they are not *vital* factors; the one thing indispensable, the one thing without which good government of any kind or degree is impossible, and which, under reasonable limitations, takes the place and supplies the want of all others, is good *men*. If you have as public officers men thoroughly honorable and conscientious and also sufficiently intelligent and sufficiently educated to understand and discharge their duties, you will have, whatever the defects of your statutes or customs, a good government; if your places of public trust are filled by ignorant, incompetent, self-seeking or unscrupulous men, you may multiply checks and balances, you may devise all sorts of ingenious and complicated safeguards, but, whatever its scientific merits in theory, your machine of government will, in practice, work ill. Institutions are in politics what fortifications are in war; each, if well planned, may aid good and brave men to do their duty; neither can take the place of such men. It was not breastworks or rifle pits that stopped Pickett at Gettysburg; a brave enemy will ever have a picnic with forts and big guns and all sorts of elaborate engines of destruction whose defenders take to their heels; and in administration, no less than in warfare, it is, after all, the human element that counts.

Neither would I discourge the careful and scientific study of questions of government; no more worthy or more promising field of inquiry can be offered to the mind of man. Indeed a very striking and encouraging phenomenon in American society is the general and increasing interest in such questions at all our leading seats of learning; moreover, I, at least, see in the widespread popular concern with this subject, to which I have already referred, the fruit, in great part, of much quiet reading and thinking, writing and talking, in such regions during the past

decade. In no small measure the "d—n literary fellers" *have* "gone into politics," though not precisely as the politicians would understand the term, and the results of their doing so are good for them and good for the American people.

But, whilst I would be the last to discountenance the most painstaking research or the collation of all attainable information on these topics, I would interpose one word of warning: by all means study, but, in the meantime, *act*. The science of medicine has made immense progress during this century, but, while men of research have repeatedly revolutionized it by their inventions and discoveries, men of action have all the time fought disease, eased pain, saved life by methods which next year became obsolete but this year served their ends. They could not tell a mother whose child had diphtheria that, when they had learned by a few months more of experiment just what to think of anti-toxine, they would come and treat him; the merits of the treatment would scarcely interest her as she returned from laying flowers on his grave. As with our bodily ailments, so with those of our body politic; we must cure them as best we can while we learn how to cure them better. Those who have leisure and learning and a facile pen can with great profit to all of us write monographs and pamphlets and magazine articles on proportional representation and the *referendum* and the Gothenburg liquor system, and their work will tell in time; but, while they read and think and write, this rascal has been nominated by a packed convention chosen at fraudulent primaries and that rascal has been caught with his arms up to the elbow in the people's money box, and the ordinary every-day citizen is saying, with our old friend Tweed: "Well, what are you, you reformers, going to do about it?"

The question is a fair one, for in the cases supposed, and they occur daily, there is something to be *done*, and, I must add, that reformers are too often prone to overlook this necessity, while they explain how nothing of this kind could happen, if only their favorite panacea for all existing or conceivable evils had been or were now applied. This may be cumulative voting or minority representation or direct legislation or female suffrage or prohibition or the single tax or any one of many more schemes to

usher in the millennium; all of which are earnestly and intelligently and eloquently advocated, none of which I am here to criticise; but, whatever it may be, the beauties visible to the eye of faith in the more or less distant day of its practical acceptance, in no wise help us to deal with the scoundrel who yonder winks and leers at us while he pockets the salary we pay. He must be handled *now*, not in a future Golden Age, and if we wait until he and his kind have voluntarily made their own prosperity and continued existence impossible, we shall wait long and very much to his and their satisfaction.

I was much impressed by a sermon I once heard on the gospel story of the paralytic to whom was said: "Arise, take up thy bed and go into thy house." The clergyman who preached it suggested that the invalid might most reasonably have replied: "Sir, I have not walked for years, for this did I come to Thee; heal me *first* and most gladly will I *then* obey Thy words." Such an answer would have been reasonable; and had he made it, the sick man had not been healed. So if we wait for existing evils to be cured by Providence or to cure themselves, wait for some great change to come some how and at some time, we know not how or when; and, while it is coming, content ourselves with telling what we will do when it comes or would do were it here; it will simply not come at all, and we shall lie as we lay before, prostrate and helpless.

But if, letting Utopia take care of itself, dealing with a present duty, which, of a surety, needs and deserves our full strength, we obey the voice of honor and conscience within us and do what we know ought to be done now and here, that which seemed impossible may well come to pass, indeed it will surely come to pass if we but try and try without ceasing to bring it about. As we strive to gain a better government, we shall come to deserve one and as and when we deserve this we shall have this. Freedom is not the birthright of slumberers.

> Those serve truth best who to themselves are true
> And what they dare to dream of dare to do.

Such men, and such only, will remain truly freemen.

# SOME ESSENTIAL FEATURES OF THE NEW MUNICIPAL PROGRAM.

JOHN A. BUTLER,
President, Municipal Association of Milwaukee.

There is really little left to do in the exposition of the New Municipal Program, but there is a great difference between scientifically setting forth the general character of a piece of complicated mechanism with which you are familiar not only in its parts, but as a whole in which the distinct parts disappear; and patiently familiarizing the public with its processes as a whole, and with the exact degree in which the subordinate parts are subordinate, and the whole dependent for its original force and operation upon the presence of every essential part. It is much the same with what may be regarded as a new bit of political machinery as it is with a great railway engine. Its apparently dangerous features are first to strike the eye. The observer must learn to follow the less obvious lines of control, and the measure of subordination, before he can understand the safety of the whole, and of every part; and he does not realize until thoroughly informed that it is safe not only because its parts are controlled at every point, but because no essential part is absent, and the whole is perfectly adjusted to the manipulation of the engineer who, in the case of political machinery, is represented in this country by the people.

I do not imagine that any considerable number of men regard the new Municipal Program, which we believe to be an important advance in the development of municipal machinery, as a dangerous instrument. Otherwise it would not have received the designation of the Model Charter, so frequently applied to it outside of the National Municipal League. But it is regarded

as dangerous in some quarters and by a limited number of people whose condemnation is its best eulogy, and the most certain indication of its special merits. It is in the vast gossip shop of ring politics that its dangerous points are adroitly and insistently pointed out, and its essential features infallibly indicated to those who are sufficiently astute. A carefully aroused distrust of a strong mayor with no reference to the character and responsibility inevitably belonging to the mayor under the new Program, and with no recognition of the new responsibility and the necessity for active participation in public business which the exclusive legislative home rule of the Program irresistibly imposes upon the people: A seeming dread of the power reposed in the hands of the people by the same instrument: Anxiety lest there may be no electric street cars in our growing interior cities under a franchise limit of twenty-one years, though that limit exists in many localities with no serious results, as far as I can learn: These are some of the fragmentary and superficial arguments with which the Program is assailed by interested parties, and by which well meaning legislators and respectable politicians are sometimes deterred from endorsing it, and uncertain citizens rendered timid in its advocacy. It is therefore still necessary to explain its merits for the benefit of those who are not yet instructed or convinced, in the hope of securing at least an experimental application of its principles. Let us examine some of the criticisms to which it has been exposed, and then present some of its leading provisions in such a manner as to indicate their natural interdependence, and their beneficent possibilities as a related whole.

It has been said in some quarters that the new Program is not a historic growth, and that a municipal charter should, so to speak, be a product of the soil, gradually evolved. The facts are these: The gentlemen who drafted the new charter occupied a position similar to that of the men who drafted the national constitution. The former had all English constitutional history back of them. They all differed in opinion, and out of long discussion there finally developed a simple formulation of the basal principles of English liberty in the Old and New worlds, upon which they could agree. They were not creating so much as they

were selecting what had been evolved in the course of centuries; and by rigidly excluding the extraneous, the crystallizing process finally led to a perfect product, the result of true historic growth. It is precisely the same with the new Municipal Program. After years of careful study of the condition of American and European cities, it is the result of a final compromise, not upon a basis of theoretical views, but of actual and successful practice; and the component parts of the Program, are what was left after a careful scrutiny of the crude and original formulations of actual municipal experience and methods. The mayor system was found in its most successful operation in Brooklyn. The idea that a city may frame its own charter comes from Missouri. The system of municipal accounting from Wyoming. The election of the council in thirds from various American and European cities. The very democratic principle of legislative Municipal home rule from the very origin of democratic government, the early days of American municipal history, and the present practice of many European cities; while nomination by petition with entire freedom from Bosses and Rings, and the conventions which make their work possible, comes from the cities of England. The only feature of the Program which may not have been derived from practice is, so far as I know, the unassailable one of preventing special legislation by clearly defining it in the Constitution, which may have been suggested by the full grant of local powers to French cities. The charter is therefore emphatically not an innovation, but the result of historic growth; the last process of simplification like the finished engine, in which every part is conducive to the desired result, and every part is safe because it is properly and absolutely subordinated in the operation of the whole, and the whole is subordinated exclusively to the will and sense of responsibility of the engineer.

The idea of exclusive legislative power in local affairs is fundamental and sound in principle, for each municipal community is, in the very nature of things, entitled to a local will and its local enforcement, within proper and definite limits; that is in matters which concern it alone. The new Program and the accompanying constitutional amendment aim therefore, first, to secure actual legislative home rule for American cities, so that the local will

may be formulated independently of the state by the city's legislature; and second, to secure the enforcement of that will by a sufficiently firm and adequately responsible executive. That portion of the charter was framed on the sound assumption that the people should and can govern, that bad city government arises from the fact that, under existing conditions, they do not govern, but only appear to do so; and that the radical cure for the so-called apathy to which bad city government is so often attributed, is not only to give them a chance to have a clearly defined will and enforce it locally, but to make them solely responsible for its enforcement, and for the entire conduct of local government. That, of course, is not possible where cities are governed on a system of so-called enumerated powers, *i. e.,* where a limited number of functions are delegated to the city by the state, with a large reservation of state legislative control. It is also not possible under a general charter in which cities are classified and opportunities for special legislation still remain. In such cases, the real responsibility rests with the state legislature, and the city is like a ward in chancery, irresponsible and powerless; and strange as it may appear that is the general condition of American cities. In the early history of the country it was natural that a vigorous prejudice should exist against a strong executive, on general principles, and it is from confused ideas associated with that prejudice that our municipal troubles have come in large part. At an early day free government was not guaranteed beyond peradventure in popular opinion, and in a sort of windmill fighting mood the people of our cities surrendered to their supposed ally, the state legislature, their real and historic liberties, the initial power of independent self-government, in exchange for the empty privilege of electing their own local executive officials; thus as was thought taking possible tyranny by the throat. In doing that they surrendered the very essence of democratic institutions, and the process has gone steadily forward until it has produced an enervating and vicious legislative state centralization, which has withered and destroyed energetic civic pride and independence, and placed our necks under the heel of those real monarchs, the ward heeler and the party boss. Almost with a single stroke of the pen, the committee of the

National Municipal League offers a solution of the difficulty. It defines special legislation in the constitution itself, and thus opens the way to complete powers of local legislative government, and the living interest among the voters of cities which must arise from a keen sense of their exclusive responsibility for good government, and the danger which lies in their failure to worthily discharge that responsibility.

It recognizes the fact that the state should legislate on all matters affecting all the citizens, or all the cities of the state, alike, matters of general concern; and that the general interests of the state should override any purely local interest. It clearly distinguishes between such proper powers of the state and the special and exclusively local character and limits of the legislative power of the properly organized city; but subject to these reservations, the city is given, once for all, full powers of legislative Home Rule. It is cut off from the maternal apron strings of the state legislature. It cannot ask the state for aid, nor can the state interfere in its affairs except under extraordinary circumstances, for which a remedy is wisely provided. The language of the constitutional amendment is significant and explains itself. After granting the city the "power to acquire, hold, manage and control property, perform and render all public services," it grants generally "all powers of government, subject to such limitations as may be contained in the constitution and laws of the state, applicable, either to all the inhabitants of the state, or to all the cities of the state, or in such special laws applicable to less than all the cities of the state as may be enacted in the manner hereinafter provided."

"Such special laws shall require the affirmative vote of two-thirds of all the members of the legislature, and shall not be valid in any city unless they receive the formal approval of its legislative authority, within sixty days after the passage thereof by the legislature, or within thirty days after disapproval by the legislative authority of the city, shall again be passed by the legislature by the affirmative vote of two-thirds of all the members of the legislature, which two-thirds shall include three-fourths of the members of the legislature from districts outside the city or cities to be affected." Under that system the burden of the

state legislature would be materially reduced by its escape from a vast body of special legislation; the dignity of the city council would be greatly increased by new and important responsibilities; local evils would be dealt with where they are felt and understood, and within earshot of all concerned. We should be spared such unseemly and ill-advised interference with local affairs by the legislature of the state as that which at one time aroused such general indignation in Milwaukee in connection with the unsuccessful efforts to degrade the City Service Commission to a mere bureau for distributing political "pap," and scores of similar legislative enterprises, in which, let me hasten to say, the legislature as a whole is rather the negative instrument than the active agent. The city would rise to a higher consciousness of its identity, and develop a keener feeling of local patriotism by conducting its government along independent lines. It would be thrown on its own resources and be exposed to the tonic necessity of self-help which is so salutary in the case of the individual. It would have precisely the government it deserved, and, if we may judge by European cities, nearly all of which possess legislative home rule, that government would be exceptionally good. Popular government is a success in this country everywhere, except in cities, because of the popular capacity for self-help where the opportunity is presented. It fails in cities because, under existing conditions, greater facilities exist for the machinations of demagogues and ward heelers, the paid agents of public corporations in the guise of party bosses, and the stock and bond patriots behind public service corporations, than for the rank and file of generous and fairminded American citizens, from whose qualities the national government has been evolved, and upon whose virtues the rescue of our cities must depend. Let us give those virtues fair play, and if our cities are not well governed, it will be time to abandon free institutions and resort to the physical compulsions of a "strong government."

We have now to consider the executive machinery by which the popular will is to be carried into effect, and I recall the late Chief Justice Ryan's famous dictum: "Where you want skill, you must appoint; where you want representation, elect," as the clearest and best rule for securing the simplicity and responsibility which

are so conspicuous by their absence in the government of American cities. Under the present system responsibility in city administration is scattered and diffused to such an extent that it cannot be definitely brought home to any individual, and least of all to the mayor. Now, a mayor who appoints all heads of departments, independently of the council, is definitely and solely responsible, and when all executive powers are taken from the council and lodged in the mayor and the heads of departments, that responsibility is still more clearly defined and emphasized. But it is not on the side of power that the new mayor differs from the usual mayor, so much as in accountability, because executive action in a free country is secondary only. It is not the source of the governing will. That resides in the people. It is merely its instrument and medium of expression and it is instructive to observe that we have properly, though injudiciously, applied a check in this country on the side of the balance of ultimate power, the power of the people; just as in England the mayor has practically no power, and democratic government being secondary in one sense, under general monarchial conditions, democratic powers are given to the English council, at which those whose money is invested in "public utilities" in this country would naturally stand aghast. Primary, positive executive power in Europe is a danger to be carefully checked. Secondary, representative, executive responsibility in this country is an absolute necessity, and we have found it perfectly safe in the presidential chair for more than one hundred years, and it will not be more dangerous in our cities. You will observe, in carefully reading the new charter, that if the mayor does not properly discharge his duties he may be put out of office by the governor of the state for reasons not of a religious or political nature, duly and fully set forth in writing and put on record. He must carry out the will of the local legislative or policy-determining body, the common council, or be in danger of losing his office at any moment. He has also behind him the moral force of a body of citizens responsible for and keenly alive to their own interests, and with no source of safety except their own action. It is the same with his appointees. They are appointed for indefinite terms, subject to dismissal for cause, in the same way. They

are each responsible for the executive work of their departments, and their tenure, like his, is made to depend wholly upon efficiency and good behavior. Superficially regarded it looks like absolutism. In reality it is exactly the reverse. The king is the master of his people; the mayor is their creature and representative and servant. He becomes the champion of the popular will by virtue of his power to control his subordinates the moment they do wrong, and the governor is its champion also, through his power to compel the mayor to do his duty as the simple instrument of that will. It is a complete and effective reinforcement of popular government, and, with the rest of the bill, a crushing blow at the real kings and absolute tyrants in city politics—the ward heeler and party boss. There are a great many good people who imagine that we now possess local self-government in American cities because we elect all our executive officials without their being in any way responsible, except in a very general sense at the next election, when their misdeeds are already in the past, and when they nearly invariably retire to private life by preference and the prospect of retirement is no longer a corrective force. What we ask, instead of that, is to make city officials accountable at once, the very moment their shortcomings are discovered, by this method of appointment. It is the only way to insure an adequate and effective sense of responsibility.

The next matter of great moment is the council as provided for in the new Municipal Program, and a statement of the case is, in my humble opinion, a sufficient argument in its behalf. It is true that the objection may be raised with some force that it does not comprise a second chamber, but when the scheme is considered as a whole, it presents so many points of excellence, and so thoroughly meets the evils which are usually met with success by a double-chambered council, that an experiment with a single chamber on the new lines is certainly well worth trying. Beyond that point the council of the new charter is above criticism. It should be responsible, and the smaller the numerical membership the more the area of responsibility is narrowed, and the greater the responsibility of each member. The new charter, therefore, while it does not arbitrarily limit the council's membership, distinctly favors a small council, of not less than nine and

not more than fifty members. To make it uniformly competent, it is elected in thirds, thus leaving a considerable number of experienced men in office at each election. A six years' term is provided, in order to jeopardize the interests of the voters in such a way that they will turn out and elect good men or suffer so severely for their neglect that the lesson will be lasting and effective. The members are to be elected at large, in the belief that the larger the constituency the better the representative. A mayor, elected by the whole voting population, is usually superior to the average alderman. An ex-convict has been known to be elected from a ward, but no ex-convict could ever be elected by the whole people of any city for a term in its council. The central wards of a city are usually bad. They are often the headquarters of an extensive quasi-criminal population, which sends men to the council who also could not be elected from the city at large. The idea, in the main, is to make the council a highly honorable standing committee of the citizens to represent and guard the interests of all concerned; and it is generally believed that fragmentary parts of the city and purely local needs would be better represented by a council of this character than by the present ward system, and that without its serious and conspicuous evils. Finally, the high character of the council provided in the new charter is further insured by its being deprived of executive powers; and of that departure it is enough to say that aspirants for aldermanic honors who seek office for the profit involved in the award of contracts would not seek election to such a council. Instances of the irresponsible abuse of executive powers are also conspicuous in the control of patronage and the granting of licenses by men who owe their election to ward heelers and saloon keepers, and who, therefore, cannot be independent. These are pertinent illustrations of the evils of executive power in the council, and while they are undoubtedly rare in small cities they are certain to appear with an increase of population, and they are an evidence of a bad system which all thinking men and the best class of city officials in particular will, sooner or later, wish to change.

Another feature of the charter as indispensable as the conduits which convey the power of an engine to the points where it pro-

duces motion, is the system of nomination by petition. It brings popular power to bear on the processes of government, because it strikes a body blow at the stronghold of the Boss and the Ring by abolishing the caucus and convention, and placing the nomination, as well as the election of candidates in the hands of the voters themselves. The provision for nominations is very brief and simple and of course consistently leaves much to be determined by the city in which the system is applied; that is as to the form of ballot, etc. It reads as follows:

"Candidates for elective municipal offices shall be nominated by petition signed by legally qualified voters of the city concerned. The number of signatures to such petition shall be determined by the council of the city, but no more than fifty signatures shall be required. Such petition shall be filed in the office of the mayor at least thirty days before the date of the election; provided, however, that in the case of the death or withdrawal of any candidate so nominated such petition may be so filed within a less period than thirty days. . . ."

The petitions "need not be one paper, and may be printed or written, but the signatures must be the autograph signatures of the persons whose names purport to be signed. To each signature the house address of the signer must be added, and the signature must be made and acknowledged, or proved, before an officer authorized by law to take acknowledgment and proof of deeds. . . ." Of course it will be said that a multiplicity of candidates will appear, and that some of them will be put up by the Ring, but the real theatre of the Ring's activities is in the narrow field of the preliminary meetings and conventions, where there are delegates who can easily be purchased or misled. It is very doubtful that it could successfully exploit an entire electorate. It may also be said that nominations would easily be brought about by a very small minority, as if the managers of the machine who now nominate were not a very small and exceedingly dangerous minority. Many petitions might be presented or not, but in any case it would be the people of the city who would finally nominate by ballot. In English cities where the suffrage is almost unrestricted, the result of nomination by petition is that very few candidates are put up. There are no conventions

or Bosses, and only nominal politics in city elections; and a sufficient demonstration of that fact is the circumstance that in the heat of the fierce Gladstonian campaigns many conservative councilmen were elected, and elected again, by liberal constituencies, in English cities, because they were invaluable municipal servants, honorably and exclusively devoted to local interests. Two other essential features of the Program will be merely noted here because they are sure to receive exhaustive consideration from other speakers. They are the provisions which require public service companies to make sworn and detailed local reports of their finances, and which limit the grant of franchises to twenty-one years.

A strong mayor without a fully equipped council to provide a formulation of the local will would naturally be dangerous if he were not an ideally constituted man. A council possessed of executive power is likely to become corrupt through the importunities of rival applicants for municipal contracts. A city government elected by the present method is certain to represent the agents of public service companies who are often the actual rulers of American cities through the control of nominations, and if such companies are not more perfectly restrained they will, under the best possible conditions, continue to be a source of corrupt influence and a menace to reputable government. Many of our friends who, as individuals, are above reproach and who command our highest respect, are connected with such companies, and are simply blinded to their patriotic duties by regarding matters narrowly and at too short range. It is fair to say that you can never have good candidates as long as the caucus and convention enable the machine to monopolize the power of nomination. The people will appear apathetic to a certain extent, even in general elections, until they can nominate their own candidates, and they can only nominate them with any degree of success by petition. They will never actively share in municipal government until they are fully responsible, and their interests are sufficiently jeopardized by the election of a long term council, with the powers involved in a practically exclusive system of local legislation to sharply challenge and render alert and active their instinct of self-preservation. The council even in that case would be ex-

posed to the invasion by corrupt and self-seeking men, unless it were deprived of executive powers. A strong and irresponsible mayor with a council elected on the present plan, that is by the Ring, might be a serious menace to good government if so inclined; and a city council with adequate legislative powers would be nearly useless without a properly organized executive force from the mayor down. Any system of city government organized upon the present nominating system in this state* would necessarily be bad. Any system, even the best, which did not provide for complete municipal accounting, and full local reports of the financial condition of franchise holding companies, together with short term franchises, would always be in danger of some degree of temporary corruption; while good executive administration without a sound civil service system is impossible. I am telling an old story over again in calling renewed attention to certain features of the new Program, and I hope I have been able in some degree to make their merits clear. They are essential and indispensable parts of perfect municipal machinery, none of which would be fully efficacious, and some of which would be not wholly safe without the others. Together they are a logical symmetrical and beneficent summing up and formulation of practical municipal experience, and a valuable adjustment, not of new things but of wise and successful methods evolved in the long history of municipal development.

I could not wish this or any other state better fortune than that involved in adopting the leading features of the new Municipal Program for its cities.

* Wisconsin

# THE NEW MUNICIPAL PROGRAM AND WISCONSIN CITIES.

HON. JOSHUA STARK,
President, Wisconsin Bar Association.

The subject of municipal reform has engaged public attention and been much discussed in Wisconsin during the last ten years, in the public press, upon the platform and in professional and business circles throughout the state. Interest in the subject has greatly increased since the adoption in 1892 of an amendment of the state constitution, which prohibits special legislation for the incorporation of any city or the amendment of its charter. Prior to that year, the legislature at each session was deluged with bills proposed by common councils, public officials and private citizens, quite independently of each other, which would more or less change the law defining the powers and regulating the administration of individual cities. Many such bills were presented and acted upon by the legislature without attracting public attention. Members representing the city affected were often ignorant, indifferent or deceived as to the scope and effect of the proposed legislation, or were induced not to oppose, or even to favor it.

The facility with which under this practice schemes highly prejudicial to the public interest could be quietly worked out through legal enactments, made it necessary that legislation for particular cities should cease. Since the adoption of the constitutional amendment referred to, the amendment of a city charter can only be effected by a general law, applicable alike to all cities of the same class, determined by population. A general law providing for the incorporation of cities was enacted in 1889, and in an amended form is still in force, but most of the cities of the state are acting under special charters granted prior to the date of the constitutional amendment.

This condition of affairs has compelled the study and comparison of the charter provisions of different cities in the state and a discussion of the general subject of municipal government. For such purposes a League of Wisconsin Municipalities was formed some five or six years ago, which has ever since held annual meetings. Many civic associations, clubs and societies under various names have been organized for promoting good government in cities, and interest in the subject is increasing. Some progress in the direction of municipal reform has been already made in Wisconsin. By act of the legislature of 1885, all persons in the fire and police service of the city of Milwaukee were placed under civil service rules, framed and enforced by a non-partisan board of commissioners appointed by the Mayor. In 1895, the civil service system in its main features was extended to nearly all subordinate officers and employes in the administrative service of the city, under a similar board. The result has been a gradual, marked improvement in the character of the men and the quality of the service. In 1897, a law was passed subjecting the fire and police departments in all cities of the state having a population of ten thousand or more, to the merit system. The subject has engaged the interest and support of political parties, at least in the city of Milwaukee. The Democratic City Convention, held in Milwaukee in March, 1894, for the nomination of candidates for city offices, in its platform or declaration of principles, demanded the application of business principles in municipal government, affirmed its thorough sympathies with all efforts to extend civil service requirements to every department of the city government, and pledged the candidates of the convention, if elected, to do all in their power to carry out the letter and spirit of these declarations.

The representatives of the Republican party, in convention the same month, heartily endorsed the doctrine of municipal reform in the broadest and fullest sense, and declared their belief that the time had come when the policy of placing appointments to public office upon the plane of personal merit should be extended as far as practicable to every department of the city government.

Such facts as these may be taken as evidence of a disposition

among the cities of Wisconsin to receive with friendliness and consider without prejudice any plan or suggestion for the betterment of municipal government, which gives reasonable assurance of substantial and lasting benefit.

The more the subject is examined the more evident it appears that municipal reform, to be effective and permanent, must be radical, reaching to the ground plan of municipal organization and defining and distributing the powers and functions of government in such manner and under such limitations as to make plain the path of official duty, to fix official responsibility, and to secure to the citizen adequate means of self-protection against official dishonesty and abuses of trust.

Under this conviction, the National Municipal League has caused a plan or program of municipal government to be formulated by a committee of men eminently qualified for the task by long study of the subject and by large practical experience in municipal affairs. The work of this committee, stamped with the approval of the League, has now been before the public nearly two years under the familiar title of the Model Charter, to which I am briefly to call your attention.

The term "Model Charter" suggests the idea of perfection. I do not understand, however, that this instrument or program is put forward as absolutely perfect or as the charter best suited to all cities under all conditions, but as the product of the best thought and ripest experience of very able men earnestly seeking for the solution of a difficult problem, and as a plan of municipal government, the adoption of which in its main features would in their judgment and in the judgment of the League, relieve modern cities from the principal defects and perils of their present organization.

A fundamental feature of this plan or charter is its provision for the complete separation of legislative duties and functions from those which are purely executive or administrative, the former being vested in a representative body of aldermen, and the latter in the mayor as executive head of the city government, the aldermen and mayor to be the only officers elected by the voters of the city. This separation of legislative and executive functions is but the recognition of a cardinal principle in repub-

lican government. To secure the benefit of free and popular government, these functions must be kept distinct and virtually independent. The people by their chosen representatives, subject only to the necessary limitations of a written constitution and to a qualified executive veto, determine and declare the policies and measures which they deem conducive to the public welfare, and direct their execution. Their action has the force of law

It is the duty of the executive arm of the government faithfully to enforce such measures and carry them into effect. If the measures and policies adopted and declared by the legislative body are unwise or harmful, the responsibility falls upon those who are charged with legislative duty. If they are not carried out faithfully and efficiently, the public officer or officers charged with the duty of their execution must be held accountable. That each department may be so held to accountability for failure or dereliction in duty, and that the responsibility of each may be readily known, it is indispensable that the departments of legislation and administration shall be independent of each other as far as practicable. This is the general rule and practice in American government. The principle is equally applicable to the government of American cities. The extent to which it is violated is surprising.

The general statute of Wisconsin now in force, providing for the organization and government of cities, fairly represents the prevailing view and practice. Under this statute, a common council, composed of representatives chosen by the legally qualified voters in the several wards of the city, is clothed with power to make, ordain, establish, amend and repeal all such rules, by-laws and regulations for the government of the city, for the benefit of its trade and commerce and the health of its inhabitants, for the prevention of crime and for carrying into effect the powers vested in such council, as they shall deem expedient. Such ordinances, rules, by-laws and regulations are declared to have the force of law, if not repugnant to the Constitution of the United States or of the state or to the laws thereof.

The mayor is given the power of veto, but the votes of three-fourths of all the members of the council are declared to be sufficient to give legal effect to any measure within their power

of legislation, notwithstanding his objections. The council has full legislative authority.

Turning, now, to the provisions of the statute for the administration of the affairs of cities, we find at the head of the executive branch of the city government an officer styled "mayor," who is declared to be the "chief executive officer and head of the fire and police departments." It is further declared to be his duty to "take care that the laws of the state and the ordinances of the city are observed and enforced, and that all officers of the city discharge their respective duties."

It might reasonably be inferred that this officer, placed nominally at the head of the executive department of the city and charged with duties so important and comprehensive, would be given definite authority over inferior officers in the administrative service of the city, either by power of appointment or of removal, or by a statutory provision making them in some sense or degree accountable to him. In the absence of such authority, how is it possible to hold the mayor of a city responsible for the proper administration of its affairs? Yet this general statute and the charters of most cities of the state utterly fail to confer it, except as to the police.

The general statute provides that two or three of the heads of principal administrative departments shall be elected by the people and that the other officers may be appointed by the mayor or elected by the council as shall be determined by ordinance, *provided,* that in case any such officer, except policemen, shall be appointed by the mayor, such appointment shall be subject to confirmation by the council.

In regard to removals from office, the law provides that "every person elected or appointed to any office may be removed therefrom by a vote of three-fourths of all the members of the council; but no such officer shall be removed except for cause, nor unless charges are preferred against him and an opportunity is given him to be heard in his defence."

The mayor has no authority in the premises except to suspend the officer against whom charges have been preferred until they are disposed of, and to appoint an officer to fill the vacancy in the meantime. The inconsistency is apparent. The law imposes

upon the chief executive officer of the city the duty to take care that all officers of the city discharge their respective duties, and assumes to hold him responsible for their fidelity, but denies him any authority over them, by conferring the power of appointment and removal upon the council alone.

The position of the mayor is merely that of a detective, whose only means of control over the service (other than the police of the city) for which he is charged with responsibility, is his right to prefer charges against officers whom he deems delinquent, and to prosecute them before the common council. The degradation of the mayor's office by such denial to him of necessary authority, is not the only objection to the system referred to. The control by common councils of the administrative service of cities, by means of this exclusive power of appointment and removal, is one of the chief sources of disorder, incompetency and maladministration in municipal affairs. Controversies over the division of patronage among the members, by most of whom positions in the service of the city are regarded merely as means of rewarding political supporters, are notoriously frequent and disgraceful. Appointments are made with little heed to qualifications, educational, moral or practical. The activity and energy of the candidate in the arena of ward politics is his chief recommendation. The effect of this power of appointment upon the election of aldermen is demoralizing in the extreme. The patronage attached to the office is a great temptation to men of the baser sort, and is largely responsible for the degradation of municipal politics.

The reform charter, as recommended by the National League, proposes to do away entirely with this system, and confine the council, representing the voters of the municipality, to legislation, as its only proper function. As the duties of all other officers, except judicial, pertain to the execution of the law and the ordinances and directions of the council, it proposes to make the mayor of the city in fact, as well as in name, its chief executive officer; to give him sole power to appoint all heads of departments in the administrative service, except the comptroller, and, subject to civil service regulations, framed and enforced by commissioners appointed for that purpose, power to appoint all

officers and employes in the subordinate administrative service, and to remove any such officer or employe for other cause than his religious or political beliefs or opinions, subject only to the condition that he shall first give such official or employe a written statement setting forth in detail the reasons for his removal, and that a duplicate of such statement shall be filed in the office of the civil service commissioners, and, at the option of the person removed, shall with his reply thereto be made a matter of public record in the archives of the city.

It further proposes to give the mayor authority to investigate, in person, or by his agents, the affairs of any department of the city government, and the official acts and conduct of any officer in the administrative service of the city, with all powers necessary to make such investigation complete and effectual. It also requires that the mayor shall submit to the council the annual budget of current expenses of the city, which the council may reduce but not increase.

It further provides that the mayor shall be removed from office only by the governor of the state, for misconduct, inability or failure properly to perform his duties, after being given an opportunity to be heard in his own defence. Invested with such powers and charged with such duties, the office of mayor would become one of dignity and authority, and give scope for the exercise of the highest order of executive ability. Such an officer could justly be charged with the duty of taking care that the laws and ordinances are observed and enforced, and that all officers of the city discharge their respective duties, and be held strictly responsible for failure. Being master of the machinery of administration, he could not escape accountability for its defects, whether due to incompetency, inefficiency or dishonesty in the service controlled by him. If the affairs of the city were ill-managed, the public would know whom to blame and would hasten to relieve the derelict mayor from official power at the end of his term. The sense of responsibility tends to make men careful and conservative in the exercise of official authority.

It is further proposed by the new charter to give the utmost publicity to all transactions of the city. It requires that books of account shall be kept and stated financial reports shall be made

as often as once a year to some designated officer of the state, in accordance with forms and methods prescribed by him and applicable to all cities within the state, such reports to contain an accurate statement, in summarized form and in detail, of the financial receipts of the city from all sources and of the expenditures of the city for all purposes, and a statement in detail of the debt of the city at the date of each report, and for what purposes incurred, and such other information as such officer shall require. These reports shall be printed as part of the public documents of the state and submitted to the legislature at its next following regular session. Such state officer shall also be empowered to examine into the financial affairs of any city in the state.

The utility of such a provision is very evident. It subjects the financial administration of cities to the scrutiny of an independent, disinterested officer, selected by the state, makes it difficult for local officials to disguise or obscure irregularities or misconduct, and gives to citizens and taxpayers the advantage of comparison of the financial administration of different cities. It is merely applying to cities the same sort and method of state supervision to which insurance companies, both domestic and foreign, banks and various other corporations are subject under existing laws. If the public welfare requires such supervision and close scrutiny by the state, of the affairs of these corporations engaged in private business, how much more should the practical conduct of the business affairs of its cities (which are wholly matters of public concern), be placed under such supervision?

Another important provision of the proposed charter gives to citizens and taxpayers of any city a right of action in the proper court to restrain the execution of any illegal, unauthorized or fraudulent contract or agreement on behalf of such city, and to restrain any disbursing officer of the city from paying any illegal, unauthorized or fraudulent bills, claims or demands against such city, or any salary or compensation to any person in its administrative service whose appointment has not been made in pursuance of the provisions of law and the regulations in force thereunder, and also a right of action in the name of the city against the officer who shall have paid any such illegal bills, claims or demands, or salary or compensation, for the recovery of the

amount so improperly paid, such amount, less the expenses of the action, to be paid into the city treasury.

This is a much needed measure of self-protection. Without it the taxpayer is virtually powerless to prevent gross misapplication of the moneys of the city or their diversion to improper and illegal uses. Men may be appointed to office and receive its emoluments whom the law declares to be unfit and ineligible, and the citizen has no remedy. There are many evils and abuses of power in city government which are tolerated, and even come to have the sanction of custom, because individual citizens and taxpayers are denied access to the courts for their correction. Give them the right in their own behalf and in the interest of all citizens, to call violators of law and of plain duty to account for their misconduct before the courts of justice, and many such evils and abuses would cease. Excessive use of such right need not be feared, as the court in any case may require those wishing to exercise it to give security to indemnify the city against costs.

There are many other features of the proposed charter which commend themselves upon their mere statement, as wise and conducive to good government. Among them are the provision that all nominations of candidates for the offices of mayor and aldermen shall be made by petition only, signed by a prescribed number of legally qualified voters, and filed in the office of the mayor at least thirty days before the date of the election, the signatures to such petitions to be made by the petitioners personally, with house address added, and to be acknowledged or proved before an officer authorized by law to take acknowledgments of deeds. Such direct nomination by the voters, without the intervention of the caucus or the primary, usually managed and controlled by professional politicians, will give opportunity for direct expression of the popular choice in the election of these officers.

Elaborate provisions for subjecting the entire administrative service of the city to civil service regulations, governing all appointments and promotions and protecting all citizens in such service from assessments or solicitations for political purposes and from improper and corrupt interference and influences of any kind, are of course essential to municipal reform. The spoils system is the enemy of good government everywhere, and no

measure of reform in municipal administration can be effectual that does not provide that personal merit shall be the essential qualification for appointment or employment in the public service. The right of the mayor and of such heads of administrative departments as he shall designate, to be present and participate in the proceedings of the common council, though not to vote, and the duty of each of them to attend such meetings when requested by the council, and to answer such questions relative to the affairs of the city under his management as may be put to him by any member of the council, are well designed to give to the city the benefit of a full and free discussion of pending measures, and of the experience of those best fitted to give counsel in respect thereto.

The program of reform proposed by the League contemplates also certain amendments of the state constitution. Among others, is one limiting to twenty-one years the term for which any city may grant a franchise or right to use any streets, avenues, parks, bridges or other public property or places within its limits, or any other franchise, to any private corporation or individual, and providing that such grant, or any contract in pursuance thereof, may provide that upon the termination of the grant, the plant as well as the property, if any, of the grantee in the streets, avenues and other public places, shall thereupon be and become the property of the city without further or other compensation to the grantee, or upon payment of a fair valuation thereof, distinct and separate from the franchise, to be ascertained and determined in a manner specified in such grant or contract; and further providing that every such grant shall make adequate provision by way of forfeiture of the grant or franchise, to secure efficiency of public service at reasonable rates, and the maintenance of the property in good order throughout the term of the grant, and that every grantee of such franchise or rights shall keep books of account and make stated quarterly reports to the financial department of the city, containing an accurate statement in summarized form and in detail of all its financial receipts from all sources and all expenditures for all purposes, together with a full statement of its assets and debts, as well as such other information as to the financial condition of such grantee as said depart-

ment may require, and that said department may inspect and examine, or cause to be inspected or examined at all reasonable hours, any books of account of such grantee. Who, but the holder of such a franchise, selfishly interested in its perpetuation and desirous of concealing from the public the facts concerning their mutual rights and interests, will say that these provisions are unreasonable or unjust? The individual or corporation which accepts a franchise for the supply of a city with water, light or street railway facilities, undertakes an important public trust and is bound in law and morals to discharge that trust fairly, faithfully and for the public benefit. That such trustee is entitled to reasonable compensation, goes without saying, but it is equally true that the people are entitled to whatever exceeds such compensation, in increased service, reduced fares or public revenue. It is time that the exploitation of city franchises for private speculation should be prevented, if possible, by a constitutional provision restricting the power of cities in granting them, and requiring that the paramount rights of the citizen shall be protected.

It is a recognized duty of every modern city to make suitable provision for lighting its streets, for a supply of water and for rapid transit, for the safety of property and the health and convenience of its inhabitants. Many Wisconsin cities have constructed works for the supply of both water and light, but street railways have hitherto been constructed and operated under franchises granted to private parties. The opinion is held by many, and is, I think, gaining favor, that the control and use of public streets and places should be retained in the hands of the city, and the public utilities depending upon such use should be provided, owned and operated by the municipality under a wise, conservative and efficient municipal government administered upon business principles and free from political and partisan control. It it urged that the ownership and management of such utilities by cities would result in great public advantage by saving to their citizens the profits of their operation. Milwaukee has given a notable example in its magnificent system of water works constructed and controlled by the city. But while it may not be practicable, or wise policy, under present conditions, for cities to incur the

expense of constructing such works, the power to do so ought not to be lightly surrendered by long term contracts with private parties. Rights secured or claimed under such contracts are in their nature exclusive, and are often the occasion of bitter controversy.

It is proposed that the rate of municipal taxation shall be limited by constitutional amendment and that the power of a city to incur indebtedness shall in like manner be restricted to a percentage of the gross assessed valuation of taxable property within its limits, provided, however, that such limitation shall not include certificates of indebtedness or revenue bonds issued in anticipation of the collection of the taxes levied for the year of such issue, unless such certificates or bonds remain unpaid after two years from the date of issue, nor include bonds authorized by the votes of two-thirds of the members of the council, approved by the mayor and by the majority of the voters of the city voting upon the question of their issuance at the next ensuing election of officers, for the supply of water or for any other specified undertaking from which the city will derive a revenue.

It is further proposed to provide by constitutional amendment that city councils may establish minority or proportional or other system of representation as to elections to that body, provided such system shall be approved by a majority of the then legally qualified voters of the city voting thereon, at a general or municipal election, and that upon the petition of a certain percentage of the legally qualified voters of the city, filed with the mayor, a proposition as to such system of representation shall be submitted to a vote of the electors.

A further constitutional amendment is suggested, providing that, subject to the constitution of the laws of the state applicable to all inhabitants of all cities, any city having a population of twenty-five thousand or more may adopt its own charter and form of government, such charter to be prepared by a board elected by the voters, and submitted for adoption to the legally qualified voters of the city in a manner definitely prescribed. Cities desiring home rule could obtain it under this provision. At present, no city can be incorporated or obtain amendment of its charter except by a general law. Conditions often

arise which require the exercise of greater power by a city than is conferred by its existing charter. To confer such power by general legislation is difficult or impracticable by reason of the diverse interests of different cities. This was the precise situation in the State of Minnesota a few years ago under a constitutional amendment like that of Wisconsin, prohibiting special legislation for individual cities. To meet the situation, a further amendment of the constitution was adopted in 1897, followed by the passage of an act in that state in 1899, granting to all cities then existing under special charters, the privilege of framing and adopting their own charters substantially as here proposed. The cities of St. Paul and Duluth have already availed themselves of this privilege and are now governed by home-made charters, framed under a law held valid by the Supreme Court of that state.

I have touched upon what seem to me the most important features of the plan of municipal reform embodied in the constitutional amendments and the provisions of a general charter proposed and recommended by the National League. Some of them will doubtless appear at first view to be extreme departures from old theories and customs,—even revolutionary in scope, method and effect. Their merit does not lie in their novelty, but in their adaptation to the end sought, which is the correction of the defects and the prevention of the recognized evils, abuses and corruptions of municipal government. It is quite certain that their adoption would tend to free the local interests of our cities from the influence and control of general politics and to secure a more capable and business-like administration of their affairs. The League submits them to the scrutiny and criticism of the intelligent and patriotic citizens of Wisconsin who desire such administration, in the sincere belief that the more they are examined the more will their essential features command their approval.

# DOES THE NEW MUNICIPAL PROGRAM CONFER DANGEROUS POWERS ON THE MAYOR..

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In discussing the question which I have been requested to answer it may be as well to begin with the admission that the Municipal Program does confer dangerous powers on the mayor. The power to govern and act for others is always dangerous and liable to abuse, but it is a power inherent and essential in every conceivable form of human government, and the Municipal Program is no exception to the rule. In view of this fact it is obvious that instead of asking whether there is a grant of dangerous powers, our inquiry should be as to whether the grant is for more than such powers as are necessary or desirable for the work to be done, whether the powers are given to the proper official or officials, and whether they are accompanied with the best possible restrictions and safeguards against the abuses and dangers which cannot be entirely avoided until, in some far-off millennium officials can be found who will be free from the defects and failings of unperfected humanity.

Taking first the question as to whether the Municipal Program confers more than such powers as are necessary or desirable for the work to be done, we can see that in modern cities the duties and responsibilities of municipal governments have been greatly increased and multiplied since the time when the authorities had little more to do than to keep the peace and it was very generally believed that the best government was the one that did the least. Anything like an adequate statement of the duties of one of our large cities would much exceed the limits of this paper. In its numerous departments a modern municipality requires the services of the ablest financiers, lawyers, engineers, and medical,

sanitary and scientific experts of various kinds. It raises and expends immense sums of money; it has an army of clerks, laborers and other employes; it has the care, management and disposal of public buildings, water-works, streets, sewers, parks, bridges and other property, worth many scores of millions of dollars, and it has in many cases the power to grant or regulate the execution of contracts and franchises which may be of vital importance to its inhabitants for many generations. Upon the proper performance of its manifold duties its citizens must very largely depend for their supplies of water, wholesome food, artificial light and other necessities or conveniences, their facilities for transportation and recreation, the security of their persons and property, the promotion of their health, comfort and business prosperity and their protection against disease, dishonesty and vice. Reasons for believing that the extension of the powers of city governments is desirable as a means for promoting good citizenship will be referred to in the concluding portions of this paper, but whether such a belief is correct or incorrect, it is practically certain that there will be a still greater and more general increase of municipal functions in the near future. Without attempting anything more than these brief statements in regard to the present and prospective duties of city governments we may safely assume that the powers conferred upon them by the Municipal Program are *not* too great for the proper performance of the duties to be discharged.

The question as to whether the executive as distinguished from the legislative or policy determining portions of these necessary powers, should be vested in the mayor to the extent provided in the Program is a much more difficult one because the correctness of our answer must depend partly upon the accuracy with which we may be able to estimate the strength of forces and tendencies, that have not heretofore been brought into joint or conflicting action under such conditions as will be established by the adoption of the Municipal Program. We know, however, that in all great undertakings, concentration of power is essential for attaining the highest degree of efficiency and economy. As the armies of a nation may have many generals but only one commander-in-chief, and as a great corporation may have many

officers but only one president, so in every field of human enterprise and industry on a large scale, while there may be many employes, the best work, the greatest economy, the largest measure of success, can only be obtained by having one supreme head who can decide all questions, combine and direct all efforts, and secure the loyal service and harmonious co-operation of all subordinates.

It is clear also that the proposed increase of the mayor's powers and duties, his opportunities for rendering greater services to the people, and the certainty that he will receive the credit for all that he may be able to accomplish, will make the position far more honorable and attractive than it has hitherto been. A similar effect will result from the restrictions imposed on the mayor's power to make appointments, etc., as they will tend to protect him from corrupt solicitation, and from the personal antagonism of those who would otherwise demand improper favors. Under such conditions men of the highest character and ability will be much less likely to hesitate or decline to become candidates for the mayoralty.

It may be said further that when the executive powers of a city are concentrated in the hands of its mayor he will know, and he will realize that the people will know, that he and he alone must bear the blame or receive the praise for all that may be done or omitted to be done during his term of office. This knowledge will be a powerful stimulus to his efforts for the achievement of good objects and for the prevention of anything that might expose his administration or his assistants to charges of incompetence, corruption or misconduct.

The extent to which the Municipal Program will facilitate the action and promote the political education or development of the citizens is one of the strongest reasons for its adoption. Instead of being confused and repelled by the conflicting and mendacious claims of comparatively unknown or unfit candidates for many different offices, the attention of the voters will be concentrated upon the character and abilities of a small number of the most prominent and best known men in the city; and when they realize that all the executive powers and responsibilities of the municipal government will be vested in the man whom they elect to the mayor-

alty, they will soon learn to appreciate the importance of protecting and promoting their own interests by exerting themselves to secure the nomination and election of the best possible candidate. If we want to improve municipal government we should certainly try to simplify the duties of the voters and make it easy for them to reach their conclusions and declare their decisions.

The fear has been expressed that the concentration of municipal powers may cause the mayoralty to be more eagerly desired and more easily obtained by unscrupulous men, because they will have more offices and more patronage to promise or distribute. But as previously stated these powers must be granted to some person or persons, and it seems reasonable to believe that the control and use of them by corrupt means and for corrupt purposes, will be more difficult when they are vested in one closely watched and solely responsible mayor, that when they are divided among a number of officials who can assist each other to confuse the people, evade inquiry, deny charges and escape punishment. The weakness and evils inherent in a system which involves numerous candidates and many elected officials, have been so frequently demonstrated in the experience of American cities that the desirbility of a change seems obvious.

It must not be forgotten, moreover, that while the Municipal Program increases the mayor's power for accomplishing good objects, it at the same time takes away his strongest temptations and most of his opportunities for wrongdoing. In order to understand the method by which this can be done, we must remember that the great sources of municipal corruption and misgovernment, are the individuals and corporations which are always striving to obtain offices, contracts, franchises or other special privileges without regard to the interests of the public. So long as the control of a city government will give to those who possess it the unrestricted power to grant such favors, that control will be the supreme object of contention for the leaders of the worst elements, and the actual or promised use of it for corrupt purposes, will continue to be the principal means by which the partisan machines will obtain the workers and the funds and influence which they need for carrying the primaries and elections and for securing officials who will serve and obey those who

desire to plunder the people. It is, therefore, clear that for the purification of municipal politics and the checking of wholesale demoralization in the public service, what is most needed is that the treasure which attracts the predatory hordes shall be put beyond their reach; or in other words the power to make appointments and grant franchises and special privileges, must be so regulated and restricted that instead of being a "commercial asset" for a political party, or subject to the control of personal or corrupt motives, it can only be exercised when and as the public interest shall require it. This is precisely what the Municipal Program will accomplish wherever it is adopted in good faith and without any material alterations or omissions. Under its provisions such local bosses, candidates and ward heelers as we now have, will regard the mayoralty as a thing of little value, and there will be a wonderful drying up of the most prolific sources of corruption, because those who have been in the habit of supplying the political spoilsmen with workers and funds, will decline to spend their time and money for the control of a government which can no longer assist them to obtain offices or to extort large fortunes from the public, without rendering any proportionate service. Under the Municipal Program the power to distribute the subordinate places as bribes or rewards for personal or partisan services, is reduced to the right to appoint to each vacancy one of the three persons who shall have obtained the highest gradings for practical ability and fitness in public examinations open to all applicants, without regard to their political or religious opinions, affiliations or services. The power to dispose of franchises is so restricted that a grant cannot be made for more than twenty-one years, and when it expires there can be no payment or allowance based upon a valuation of the privilege. The grant must include adequate provision by forfeiture or otherwise for securing efficient service at reasonable rates, and the grantee must keep full and accurate accounts which shall be open to the public. The power to incur indebtedness and the power to levy taxes are strictly limited.

It would require an elaborate analysis of many different clauses to give an idea of the care and thought which have been devoted to securing the foregoing and other advantages. But time will

not admit of more than these very brief references to a few of the most important.

In addition to such provisions as may be found in the general laws of the state for the prevention or punishment of official error or malfeasance, the Municipal Program enables the governor to suspend and remove the mayor in case of his misconduct, inability or failure to perform his duties properly; and it also provides that a given number of citizens may maintain actions to prevent or to recover illegal payments or unauthorized salaries.

It would be absurd to suppose that any legislation can be sufficient in itself to entirely remove the temptations and inducements for wrongdoing, or make official incapacity and dishonesty impossible. But it is doubtful if any statute could do more than the Municipal Program towards the achievement of such beneficent results, without seriously interfering with the necessary power and efficiency of municipal government.

As a protection against any great or permanent injury to the people or to posterity, the provisions referred to in this paper seem to be ample; and for the prevention of lesser evils the safeguards appear to be as complete as it is wise or practicable to make them. It may be that in some cities the people will be slow to comprehend and appreciate the advantages which the Municipal Program will give them for the protection and advancement of their own interests, and in the meantime the desperate exertions of local spoilsmen may result in the election of unfit or corrupt men as mayors or councilmen, but even if this should be the case the period of bad government can only be temporary, because its evil consequences will be so quickly felt by the voters and it will be so easy for them to understand the cause, fix the responsibility, and apply the remedy at the next municipal election. One of the most valuable features of the Program is the tendency of some of its provisions to promote and facilitate such efforts on the part of the people, and to thus justify the republican theory that it is only by governing that the majority of the voters can learn how to govern; and that the best government is that which tends most to develop good citizens by forcing the people to be their own governors, suffer from their own errors, realize their own blunders and learn wisdom by their own mistakes. So far as

popular government has not been successful in attaining such results, its failure must be explained on the ground that it has not been in force long enough, or that the precautions against rascality and corruption were inadequate, or that the power of the people was either insufficient or subject to restrictions or conditions which made its exercise too slow or too difficult. In this connection and in addition to the clauses of the Program already spoken of, attention may be called to those relating to nominations by a small number of citizens, the registration of voters (see the proposed Constitutional Amendments which accompany the Municipal Program), the printing and marking of the ballots, and the right of the people to adopt a system of direct legislation, and to increase the business functions and importance of their local government, whenever they shall deem such action necessary or desirable.

Of course what is said in this paper in favor of the Program is only intended to apply to it as a whole and unimpaired by the omission of any of its provisions for preventing abuses. It would not be difficult to find cases in which the granting of great powers without such precautions has been followed by serious evils. Such a course is about as sensible as it would be to start a steamship without a rudder or a railroad train without brakes. It is probable that in the cases referred to the evils will ultimately work their own cure by arousing popular resentment, but it would have been far better to have prevented them entirely by the adoption of suitable safeguards and restrictions.

In concluding these suggestions in regard to the grant and concentration of great municipal powers as provided in the Program, it seems appropriate to give special emphasis to the effect they will have upon the political development of the citizens. In a country like ours where the supreme authority is vested in the people, the character of the local government in each city must depend upon the interest, intelligence and political activity of the majority of the voters. If they are indifferent, inactive or unintelligent the government will be bad. If they are greatly interested, diligent in the protection and exercise of their rights, and too well informed to be easily deceived, their government will be good, and the reciprocal action of the people on the govern-

ment and the government on the people, will result in a rapid and continuous improvement of both government and people. An American city cannot be prevented from being a great co-operative association in which every citizen is a member, and each voter should be made to feel that he is bound to act as a partner or trustee should act for the regulation and promotion of the interests common to all. It is therefore plain that in preparing a charter for such an organization, care should be taken to make the government as interesting and important as practicable, by giving it such extensive powers and functions that it will be an object of the greatest consequence to every resident. The citizens should be put in such a position that they cannot fail to learn by practical experience that the character of their government depends on their own acts, and that if they make it good it will be of immense use and benefit to them, and if they make it or allow it to be made bad they will suffer great loss and injury in many ways. The means by which the voters can ascertain and judge of the faults and merits of their servants, and the methods by which they can exercise their right to reform and regulate the management of their public affairs, should be made as plain and simple and effective as possible. The Municipal Program has been prepared in accordance with these principles, and it is confidently believed that its general acceptance will not only be a long step towards the attainment of good city government, but that it will also result in a great advance and development of political intelligence, active citizenship, civic pride and higher moral standards in the masses of the people. And when we remember that the control of our state and national governments with all their vast and varied and increasing powers, will soon be, if it is not now, vested in the voters, of our cities, it is apparent that the general adoption of the Municipal Program or of the principles upon which it is based, is a matter of national as well as of local importance, and one that should be earnestly and actively advocated and supported by every American citizen.

# THE SMALL CITY AND THE MUNICIPAL PROGRAM.

DR. SAMUEL E. SPARLING,
Secretary of the League of Wisconsin Municipalities.

The vast literature that has come from the press in recent years bearing upon municipal problems offers no adequate discussion of the needs of the small city. Naturally the greater problems which centre in the larger cities have commanded the immediate attention of the student, while the small city has suffered in neglect unless it could gather encouragement from the experience of its more vigorous neighbor. But unfortunately, if we may believe all that we hear or read, this experience has not always furnished for them the most wholesome guidance.

It is not however the purpose of this paper to enter into any detailed discussion of the problems of the small city, but rather to note the relationship which it sustains to the municipal program in some of its more important features. A casual survey of the conditions of urban life in Europe and the United States makes it obvious that the small urban centre must have an important bearing upon our future municipal legislation.

The existence of the small city is everywhere recognized for statistical and governmental purposes. The practice of dividing cities into groups for the purpose of pursuing social and economic investigations is a sufficient recognition of the differences between cities, with their peculiar needs and problems. An examination of the statistics of population of the German Empire shows that in 1895 the cities above 100,000 contained in round numbers 5,600,000 inhabitants; the middle cities, 4,600,000; and the small cities, ranging from 2,000 to 20,000, a total of 5,600,000 which is a

population equal to that of the group of larger cities. These statistics of population may be taken as fairly representative of the densely inhabited countries of Europe, and possibly of the eastern section of the United States, but as we move toward the West we find the small city relatively increasing in numbers and in percentage of population until it occupies a most important place in the urban life of the western states.

The state of Wisconsin furnishes an illustration of the relation of the small city to the whole problem of municipal government in the states of the middle west. For the purposes of this paper 25,000, a figure employed in the proposed charter, may be taken as the maximum population of the small cities of Wisconsin, including all incorporated villages and cities which will be, by the census of 1900, nearly 1,000,000. Out of the 130 cities and villages of the states but five exceed 25,000 in population, with a total of 450,000 inhabitants. The city of Milwaukee heads the list with a population of nearly 300,000. And while it may not appeal to the pride of the cities of the middle class it must be admitted that the metropolitan problems of municipal government in the middle west are confined to a very few cities. Thus viewing the problem of municipal government as a whole, we must be impressed with the fact that our western states, and even those of the East, are states of small cities, and while the solution of the problems of the large city may present many difficulties, a population scattered among many small cities, their numerous and divided needs, low tax valuations, and low social vitality, present a problem whose solution is farther in the future than that of the larger city.

The committee which drafted the Municipal Program has tacitly recognized the existence of the small municipality, and has, in one respect, at least, given it a somewhat different position than that assigned to the larger city. In the constitutional provision which enables all cities above 25,000 to frame their own charters the small city is subjected to a closer guardianship of the state legislature.

The most important service that can be rendered to the small city is to grant it the means by which it can preserve and cultivate those self-governing virtues which have made the New England

town a vital and vigorous unit of self-government for three centuries. However it is not my purpose to convey the impression that the small city is deprived of the powers of self-government by reason of the fact that it is not permitted to frame its own charter. An examination of the constitutional provisions of the program will reveal important restrictions upon those cities which are permitted to frame their own charters. The freehold board must follow the same principles of organization which the constitution imposes upon the state legislature in framing the general law for the small cities.

Obviously the committee has considered it advantageous to the small city to receive its charter directly from the state legislature. But it has provided that each city shall be guaranteed the fullest sphere of home rule compatible with its interests. This proposition has been clearly formulated by your committee, and ably supported before these conferences. The best thought of to-day is urging the necessity of clearly drawing the line between the local and general needs of the state, and assigning to the proper authorities the care of those functions. Since the municipality bears an important part of these burdens it becomes of great practical interest to consider what share should be assigned to the small city.

The committee has made no distinction between the functions to be assigned to the large and small city, although a comparison of these activities would point to their only essential differences. In the first place their revenues and expenditures show wide differences in their activities, but still Chicago, Milwaukee, Racine and the smallest city of the state are but degrees of the same organic problem. But if the expenditures of these cities be compared on the basis of their tax valuations it would be found that the burdens of government do not widely vary, unless it would appear that the taxpayer of the small city bore proportionately larger burdens. The large city differs from the small city mainly in the degree and quality of its work. The usual functions of the modern city are found in every city, and in many instances their problems are relatively in similar stages of solution, although the large city may be compelled to devote larger attention to them. In its functional needs, however, the small city lies on the border

line between the village and the large city and often possesses the variety of the wants of the latter, without its capacity for satisfying those desires.

The committee has avoided the difficulty of drawing a line between these two classes of cities, on the basis of their functional differences, by granting to all alike the power to deal with their own particular problems. But it is of interest to note that in the development of the sphere of central supervision over the locality, Prussia and England have assigned to the small city a different position than that enjoyed by the large one. The kreis of Prussia and the county of England each not only enjoy a larger sphere of activity than the municipality, but also a closer supervision of the central administrative authorities. In order to give the larger urban centres the powers and responsibilities of the more extensive administrative divisions, and also to subject them to the same central supervision, Prussia has assigned all her cities above 25,000 to the position of a kreis, and England all her cities above 50,000 to county boroughs. These differences are based upon the scope and degree of their activities, and assigns the smaller city to a somewhat different position before the central authorities. This experience is of especial value in future legislation for our larger cities, since our legislatures generally, as was formerly the practice of England, makes the individual city the unit of legislation. As a result we have assigned to it a position of almost complete dependence upon the legislature for the privilege of attending to its least wants, and have added confusion to disorder by retaining the town and county governments within the corporate limits of the municipality. To the correction of these defects this League should, in the near future, direct its energies.

Special legislation is the story of confusion and irresponsibility in city government. It has brought to our legislatures lobbies from every city, and with the changes and amendments which they have asked the pages of our sessional laws have multiplied with charters of confused details in whose intricate and mysterious recesses irresponsibility lurks. The slow progress which has been made in securing uniform legislation with central supervision is mainly due to the public feeling that the extension of the

principles of administrative centralization and supervision, would be fatal to local self-government. But enlightened discussion is gradually pointing the way to a clearer notion of the value and benefits that would follow by relieving the legislature of the labors of special legislation, and substituting for its frequent interference some of the features of central supervision which would in no manner limit the enjoyment of the fullest sphere of home rule. Thoughtful men are beginning to realize that the centralized power of the legislature, has, by special legislation, well nigh undermined the foundations of local self-government, the restoration of which this and kindred associations are pledged to restore, preserve and foster. Each city should enjoy, irrespective of its size, a sphere of local autonomy, free from legislative interference. The legislature should occupy its proper place in regulating the general features of our municipal life, and open to each community the privilege of bringing its fullest civic energy to bear upon its own individual problems.

In order that this civic interest may be vital the committee has formulated several important propositions, which are designed to assist the people in the control of their city affairs. By the use of the referendum they will have the opportunity of deciding important questions of public policy. Direct legislation is peculiarly a part of the governing machinery of the small city, and its extension can do much to overcome that civic apathy so characteristic of our urban populations. During the past year scores of Wisconsin cities have made use of this method of deciding public policies in the voting of increased taxes, bonds, construction of public works, and the municipalization of water and lighting plants.

Those who have had occasion to observe the financial operations of the small city are impressed with the confused and unsystematic methods which prevail. The little attention which has been given to municipal accounting renders it practically impossible to gather any accurate notion of the financial conditions of the city at stated periods, or to institute any valuable comparison with similar operations in other cities. The submission of an annual budget by the authorities of the small city is practically unknown, and the grouping and classification of expendi-

tures and revenues furnish no adequate guide to the activities of the city. This subject is of particular importance at this time, in the state of Wisconsin, in view of the fact that a commission has been at work during the past year in preparing a system of uniform accounting for all the state offices, board and commissions. The report of this commission has been accepted by the proper authorities, and it is expected that it will be put into operation in the near future. With this system of uniform accounting for the state offices in force it should be a comparatively easy matter to extend similar provision to the municipalities. The results would soon become apparent. With the systematic arrangement and publicity of accounts the same successful financiering of the city would follow, which is possible in the business world, and which would prevent that extravagant expenditure which now characterizes the work of many of our municipalities.

A study of the scheme of organization proposed by the committee, is one to which the friends of the small city could offer no serious objection. It has been noted that the differences in the activities of cities do not necessarily imply differences in organization. In fact, the best experience of Europe as well as many of our own states confirms the value of uniform legislation for all cities. The metropolitan activities of Berlin, with its highly differentiated administrative system, are carried on under the same fundamental law that regulates the least of the Prussian cities. It is still more suggestive that recent legislation in Prussia, France and England have applied the same fundamental principles of organization to all localities, both urban and rural. To the counties of England has been extended the same plan of organization which is enjoyed by her municipalities, and which has made it an easy matter to extend to the largest of these, the powers and responsibilities of the county without a change in organization.

The municipal program provides for a simple uniform plan of organization which admits of the same general application to all of the cities of any state, leaving to each city the elaboration of details with the growth of its activities. One of the fundamental principles upon which the proposed charter rests is the separation of executive and legislative functions. This doctrine

is not new to the American people, and is therefore not objectionable, on the ground that it is a radical innovation. It has on the contrary become a cardinal principle of our state and federal systems. While the need of this separation is not so apparent in the small city because of its simpler form of life, the principle can nevertheless be applied, with some reservation, with beneficial results. There is the same need of definite responsibility in the small city as in the large one. The proposition to make the mayor responsible in administration, and the common council in legislation, will doubtless commend itself to the friends of the small city as a step which would result in much practical good. In order to accomplish this the council must be permitted to perfect its own organization, and appoint its own committees, while the mayor must be entrusted with the appointment of the principal heads of the city departments, and to the strict enforcement of the ordinances of the council. With this separation of functions, with biennial elections, a longer term for the councilmen, and the heads of departments serving during efficient service, the perfection of the primary and free nominations, the increased use of the referendum, and the adoption of proportional representation, the machinery of democratic government will, in a measure, be complete, and which will do much to overcome the abuses which grow out of the rivalries and prejudices of political campaigns.

The charter of the small city has, as a rule, been framed in the absence of any theory of city government, or without a correct appreciation of its administrative needs. In many instances the city has outgrown its village system of government, and has gone to the legislature, from session to session, and secured various additions to its charter, until it is, in many states, a patch-work—an accumulation without system—which often the city officers themselves do not pretend to understand. One of the most prosperous cities of this state may be taken as an illustration of the results of legislation for the small city before the constitutional amendment was passed requiring general legislation for all cities. In theory its legislative and executive functions are separate, but are in fact so confused as to afford any definite responsibility in the exercise of those powers. The mayor is permitted to preside over the sessions of the council, and to organize its committees which

are expected to do his bidding. In addition to this confusion, irresponsibility attaches to our committee system in legislation. The meetings of the committees are often held a few minutes before the sessions of the council, their members are expected to ratify the desire of the chairman who is jealous of any criticism which may be offered in the open sessions of the council. The small city does not, however, alone suffer in this respect. In many instances the city departments are only nominally controlled by the council, but a board elected by it selects the head of the department. This method has generally given good results in the small city, and particularly where the continuity of policy is endangered by frequent elections.

In concluding this paper we may add that after the value of a scheme of municipal organization, which locates responsiblity in a definite manner, has been urged, we must still revert to those instruments of popular government in order to reach the heart of the problem of civic uplifting in the small city. It is to the machinery of direct legislation, the primary and proportional representation that we must turn in our hope of building up those civic qualities which must exist before the government of small cities will attain that efficiency which we have reason to expect. The small city has suffered in the drift of population to the larger urban centre, and as a result the solution of its problems must be recognized as among the most difficult in the whole sphere of local administration. These difficulties are not only governmental, but social and economic. The small city lies in the pathway of the movement of population from the village to the large city, and in so far as this has affected its civic advancement it has suffered the loss of its thriftier citizens who have followed elsewhere the allurements of fortune, while the country districts have contributed to it the conservativism of a rural population. This stamp of conserativism naturally affects the smaller cities, but as we pass to the cities of 10,000 and 20,000 a more progressive spirit is found. In many instances they have successfully led in the direction of municipalization. The small city as a whole, however, is suffering from civic indifference or it may be helplessness. But the latent capacity of the people for self-government may become potential with the sphere of Home

Rule guaranteed, and the instruments of popular government in the full possession of the people. It is in the exercise of these civic rights which inspires us with the hope of a more intelligent democracy, a larger civic interest, which can be brought to bear upon the social, economic and administrative problems of the small as well as the large city.

# AN ESSENTIAL SAFEGUARD TO EXECUTIVE RESPONSIBILITY.

GEORGE MCANENY, NEW YORK CITY.
Secretary, National Civil Service Reform League.

To discuss very seriously the *pros* and *cons* of the proposition that the merit system in the conduct of city government is a good and highly desirable thing, would, in this company, be a more or lesss gratuitous undertaking. There are few thoughtful men, here or elsewhere, who do not appreciate the important place that system must hold in any complete scheme of municipal improvement, or who would not contend for its establishment whenever and wherever opportunity might offer. It is doubtful, however, whether it is understood quite as clearly that the justification of the growing tendency to centralize responsibility in the municipal executive must depend so largely upon the institution of proper rules governing the organization of the subordinate service, or that such minute care must be taken by the framers of these rules themselves, to guard against their failure to serve rightly this important end.

To these points, therefore, I may safely devote myself, offering such evidence as I have,—the result of a more or less constant observation of the working of the appointive system in certain of the larger cities in the East.

To place in the hands of the mayor the power to appoint the heads of every city department, with the usual exception of the comptroller, to leave in his hands the right to remove those whose duties are not faithfully or competently performed—with the right reserved to them for a reasonable opportunity to reply to charges and to offer explanations,—and to hold the mayor, so empowered, to a strict accountability for the proper conduct of the municipal business seems unquestionably the most sensible thing for the

people of a city to do, and the accepted centre-principle in modern charter building. It should not be expected, however, that such a system, no matter how well safe-guarded by limitations upon the administrative powers of department officers, or by clear definition of their purely administrative duties, can continue to give satisfaction through a succession of party changes, or that it can long endure, if the position of the mayor is not itself protected by compreheisive civil service rules. The temptation to use the minor appointments for personal or political purposes when the power so to use them is unchecked, is almost always irresistible. The best-intentioned of mayors will feel it and often—the strongest and most specific of ante-inauguaral good resolutions notwithstanding—they will yield to it. Where the mayor owes his election, either wholly or in large part, to a political party, he is beset inevitably by the leaders of that party, good or bad, and is given to understand that their advice in the matter of the selection of the *personnel* of his administration is something that he is not only expected carefully to consider, but that he cannot even honorably reject. From their point of view he is their agent, or at least the agent of the party, and no matter what high sounding things he may have said about reform, the "reform" party demands, and that the people "surely must have expected" when they voted him into power, has to do with the question of *personnel* first of all. The retention of officers or employes in whom the people have "shown their lack of faith," they argue, should not be tolerated a day longer than may be required to make the necessary change. And closely following the argument as to the duty of the mayor to the party comes that of his duty to these individual members of the party, or others, whose support, he is asked to admit, has been most effective. These representations are never lacking, even though the election has been won by a party or coalition formed for the purposes of what is conceived to be genuine reform. How far, under such circumstances, the mayor will bend, is problematical; he may give in at once, and completely, with results disastrous to his good intentions, or he may confine his concessions to particular departments or even to particular appointments; but the instances in which he has withstood the onslaught without a deviation from

his familiar purpose to give the city "an administration based on business principles only" are so rare that to recall one now seems almost a hopeless task.

I have known exceptionally well-qualified officers appointed, by good-intentioned mayors, to administer departments where no civil service rules were in force or where the rules were incomplete or defective, who have passed the greater part of the time reserved for their official duties, in dealing with pestering applicants for offices, sent, not infrequently by the mayor himself. I cannot doubt that the effort to please or conciliate those whose authority is high, to provide places where there is no actual need of services, in order that the more pressing demands may be met, or to hold in position these incompetents or sinecurists who are so fortunate as to possess the right sort and degree of intercessional "influence," and to keep some sort of balance between business administration and party recognition, for the sake of peace, has led to the utter wreck of many of the most hopeful plans for administrative reform.

So long as department chiefs, owing their appointment to the mayor alone, are permitted to select their own subordinates, for reasons they are not required to explain, and without the restrictions of the merit system, the danger of such failures must continue and the realization of those results of the plan of centralization that are the most earnestly desired will, necessarily, be deferred. Under such conditions the centralized system, which, properly safeguarded, seems generally accepted as the best, may become even more adapted to the purposes of "machine" government than the system it replaces, and the processes of patronage dispensation measurably simplified. Where the city is governed by a party whose normal majorities are very great and where, therefore, whether the department officers are good intentioned or ill, direct accountability to the people for perversions of responsibility can rarely be maintained, this is even more clearly true.

To relieve the mind of the mayor from details that do not properly belong to him, to leave him free to select his department officers, if he chooses, for reasons having to do with their personal fitness, and without regard to the personalities or affiliations of the persons who will in turn serve under them, to insure the fitness

of these subordinates, through a system that in itself excludes politics, and to keep the mercenary element so far as possible out of the whole business; these are the ends for which civil service rules are applied, and the promotion of which must serve, as much as any other one thing, to place the office of mayor in its proper relation to the municipal organization.

I conceive that a correct city civil service system, that is, a system calculated to complement the plan of centralization as we are discussing it, and to furnish a proper basis for other, dependent reforms, should include these things: (1) The classification for purposes of appointment and promotion of all officers and employes below the grade of heads of departments; (2) the use of open competitive tests in all positions filled by appointment down to the grade of unskilled laborer, virtually without exceptions; (3) the selection of laborers, without exceptions, through registration; (4) the conduct and control of examinations by competent boards, free from the interference of appointing officers in any form; (5) the requirement of a fixed term of probationary service before any appointment is made absolute; (6) the filling of the higher offices, where practicable, through promotions based in the main on service records, and (7) the protection of all classes from arbitrary removal or degradation for any except legitimate reasons.

Given such a system, with a fixed inhibition upon payments of salary to those whose appointments have not been made strictly in the manner required, and proper provision for the punishment of other violations, and an excellent start, at least, will have been made either toward freeing the hands of a mayor bent on attending solely to the city's business; or toward checking him whose preference it might be to serve both the city and his party, or, perchance, his party alone.

Of the various forms of rules now in operation in the cities of New York and Massachusetts, and in individual cities of other states, none conforms as closely as is to be desired, to the system I have outlined. Many of them are certainly good, and mark very great advances. The new law in New York more nearly approaches completeness than any heretofore in force, but even in that measure, in so far as it is interpreted in some of the existing

rules, there are defects to be cured and weak spots to be strengthened, before it can be accepted as adequate.

I will review briefly some of the particulars in which the average rules are apt to be deficient, at the risk, it is true, of stating familiar facts, or of discussing propositions that are trite, but with the conviction that these are details the importance of which should be clearly emphasized in treating the phase of the subject under consideration. The tendency to permit "exceptions" from the general rule of competition, that is to allow the department officer to appoint to a given position or positions persons whose fitness has *not* been openly ascertained, on the theory that in these cases unrestricted selection will secure the best man, is very marked, and presents one of the most serious of the difficulties still to be overcome. Experience has shown conclusively, both in the Federal service of the United States and in the service of Great Britain, that there are practically no subordinate positions that cannot be filled satisfactorily, and, in fact, best filled, either by promotion or by some form of examination, supplemented by a probation. It has been shown quite as conclusively, on the other hand, that the cases are relatively rare in which well-fitted men are selected for "excepted" positions, and that, in practice, the existence of a class of such positions means a mere survival of the "spoils" idea, within at least that limited area. Perhaps the most familiar claim in favor of exceptions is that the offices to be filled are of a fiduciary nature, that the appointee is to give a bond for the safe keeping of money or the proper performance of his duties, and that such a person must be known intimately by his superior. But it is even more important to the interests of the people that a subordinate who is to handle their money is competent, and free from diverting political associations. The appointment of such a person who has been examined may always be conditioned on the furnishing of a bond, and frequently is, and the bond is an adequate protection. There are many hundreds of bonded officers serving in the competitive branches of the Federal service, and the proportion of cases in which they default is almost *nil*. The value of the plea that personal selection is important in filling positions of this class is seriously affected, moreover, by the fact that in the great majority of cases the ap-

pointments are made notoriously at the instance of others, not members of the government, whose intimate knowledge of the actual needs of the service is rarely very great. The same thing may be said of appointments to positions exempted because of the "confidential" relation the incumbent is to bear to his superior. In the New York State service, for instance, eight important positions were recently excepted for the professed reason that they were "quasi-judicial" in character and could, therefore, be filled after careful personal selection alone; though it later transpired that at least seven of the appointees were nominated by political committees. In New York City there are still five hundred positions excepted on various grounds, ranging from the deputies of principal officers, detailed for the most part, for this temporary service, from the General Committee of Tammany Hall, down to the "Confidential Process Server to the President of the Council," who is reputed to be, in private life, his official master's barber.

One of the first duties of the machine "leader" in cities having civil service rules is, almost professedly, to devise means for "getting around" those rules, for the benefit of expectant followers, and of all the means as yet discovered, the use of "exceptions" is at once the most simple and the most popular. When the fallacious theory that there are still many subordinate positions for the filling of which neither promotion nor competitive appointment is practicable is finally given up, this evil will be ended. Except, possibly, in the case of attorneys and private secretaries, actually employed as such, and in a strictly limited number of similar positions, there are no longer good reasons why such exceptions should be granted. As the competitive system is extended to embrace the higher posts it is necessary, as a matter of course, that the examinations where required shall be fitted to the needs of each, but students of this subject need not be told that this can readily be done, and that when positions requiring executive ability are reached, the probationary term may be depended on to show the possession or lack of necessary qualities that service in a lower grade, or examination for original entrance may have failed to disclose.

Having a comprehensive classification, with the lines of competition or labor registration properly drawn, the next care is to

secure correct methods for the certification of eligibles. Granted that the examiners are competent and unprejudiced, the lists should contain the names of well or fairly well fitted persons for every vacant position,—whether an appointment or a promotion is to be made. The rule in New York and Massachusetts is to certify the highest three names for each vacancy, while in Chicago, San Francisco and certain other cities the absolute selection of the person at the head of the list is required. Opinions differ as to which is the better of these two methods. When the rule of one from three is followed, however, it should be with the requirement that the names passed over shall be returned to the eligible list, provided that no one name shall be certified more than three times to the same appointing officer. This permits the officer to follow the exact order of standing if he so desires, and *obliges* him to select at least three names from every five, as the certifications proceed; it allows for the exercise of discretion, in the opportunity for choice that is presented, and at the same time protects the eligible from unjust discrimination. The law in the two states mentioned requires merely that appointments shall be made "from among those graded highest;" the regulation of the method as I have stated it, is left in each case to the rules. Any departure from this method, in the direction of a wider scope for selection, as in Philadelphia, is bound to produce unfortunate results.

The length of the term of probation, it may be said in passing, should be fixed definitely at not less than three nor more than six months, and care should be taken to guarantee to the probationer fair opportunity to prove his merits by continuing his work, without danger of arbitrary removal, for the full period. The attempt has been made to construe the term "probation," as used in some civil service statutes, as meaning that the appointee may be displaced at *any* time prior to the end of the period prescribed,—the very day following his appointment, for instance,—without the statement of reasons of any sort, a construction which, had it been upheld, would have proved destructive.

The regulation of the method of removal by rule is a comparatively recent development of the merit system. The earlier

civil service acts forbade removals for political reasons, in a very general way, but as no machinery was provided for enforcing such provisions, they carried little or no weight. It was the common theory that if the door of entrance were guarded, "the back door would take care of itself." As means of evading the law became more effective, however, and as personal and political influences within the service found more room for play, the abuse of the power of removal increased, and it gradually became clear that mere guarding of the front door would not suffice. The rules that have appeared from time to time, however, have been imperfect in varying respects. In some cases their framers have gone to extreme lengths, hindering the proper exercise of the removing power and not infrequently operating to keep in their positions persons whose displacement the good of the service plainly required. As an example of these I may cite the rules of the New York Police Department, which however, are apart from and have no relation to the civil service rules. In other instances it has been required merely that the person to be removed shall be informed in some manner of the reasons for the action taken, without specifications or opportunity for an explanation. Here the fault has been at the other extreme, this form, as a protection, proving wholly inadequate. It is a matter of consequence, as the rules governing appointments are carried higher in their application, and as opportunities for evasion are reduced, that proper removal rules, somewhere between these extremes, should now be recognized as an essential part of the merit system. The plan now in force in New York I think offers a very fair basis. Under this the employe cannot be removed or degraded until he has been served with a warning notice, and a statement of reasons, fully and clearly specified. He is then given due time to make an explanation, after which the decision of the department officer is made. If any step in the procedure is omitted or not taken in good faith, the employe may go to the courts for redress, but not otherwise. The decision of his superior, in itself, is not reviewable. This method, in practice, works very fairly. While it does not interfere in any way with the discipline of the department, or unduly hamper its action, it serves, nevertheless, as a very effective deterrent from hasty or otherwise improper action.

A few further facts from our experience in New York City will show the importance of guarding other points in the system not all of which are generally considered to be weak:

Under the rules placed in force by the Tammany administration, and continued until the present law was passed, the number of titles of offices and positions in the excepted schedule was very great, and an indefinite number of appointments was permitted under each. The result was that many competitive positions were surreptitiously filled by appointment under these titles, without actual regard to the character of the work to be performed. Eight hundred "excepted" appointments were made in a single year—1898. To prevent the recurrence of this sort of thing the present rules not only limited the number of excepted titles—though these, as I have pointed out, are still very excessive—but forbade more than one appointment under each, unless specifically designated otherwise.

Under the Tammany rules "temporary" appointments were permitted, without examination, in the absence of eligible lists, for unspecified terms. The examinations to secure lists from which permanent appointments might be made were then delayed indefinitely. In 1898 more than 1,600 of these temporary appointments were made, against 600 made from the lists. The greater portion of these were continued for many months, many for a year and a half, and when, on August 10, 1899, through the operation of the new law, all then existing were discontinued, more than 400 were, even at that late day, still found on the rolls. To cure this the present rules limit emergency appointments to thirty days, during which time a list must be formed. The practice has since almost ceased.

The former rules required that a new list should be formed for each title an appointing officer chose to invent. More than 300 competitive titles were created, and frequently, where a list was finally formed for a position held "temporarily," the occupant would be quietly dismissed and reappointed under a new title for which there was no list, and the examiners' work virtually thrown away. It is now required that certifications shall be made from the "most appropriate" existing list, and new examinations may be held only when the needs of the service plainly

require. Persons on an eligible list, who were permitted to waive their right to appointment were prevailed on to do so by all sorts of means, frequently by the threat of the appointing officer that he would remove him forthwith, "during probation," if he insisted on taking the place. Now, such a declination, except in a few specified cases, takes a name permanently from the list and the practice has stopped. Persons appointed from labor registration lists were assigned in numerous instances to perform the duties of competitive places, or transferred from places subject to an inferior examination only. This particular evasion was made a penal offence and department officers were required to certify, in submitting pay-rolls for audit, that each employe is performing the duties properly described by his title. By such means this very serious abuse has been abated, though in less degree it still exists. Both the probation and the removal rules were maladministered, though these have since been fully re-established—on lines I have already sketched—through the intervention of the courts.

The New York law has been further strengthened by the requirement that all pay-rolls shall be submitted to the Civil Service Commission before the comptroller is permitted to pay any salaries, and by the provision that persons improperly appointed, who cannot collect payment for their services from the city, may recover the full amount from the individual officer or officers who put them to work.

I am not prepared to claim that the mayor of New York has been sensibly relieved through the application of the civil service rules in that city, or that he would bear witness to the general excellence of an institution that is calculated to lessen his responsibilities so materially and to add so appreciably to his allowance of time for public affairs of graver import. I am convinced, however, that recent experience in New York has shown as clearly as experience can that the merit system as a safeguard to the plan of responsibility centralized in the executive is of little less than vital importance.

That occasionally in the history of municipal government a mayor will be elected under conditions that will permit him to do as well as an honest man could wish, unhindered by anyone,

is not to be denied. Such cases, however, I think it may fairly be said, are apt to continue to be highly exceptional. Future charter-makers can never safely set aside the merit plan, and it is to be hoped that none will fail to realize that—for the reasons I have endeavored in a poor way to set forth—to secure its best results it should be made comprehensive and tight.

# REPRESENTATION OF DIFFERENT CITY INTERESTS IN THE COUNCIL.

HON. WILLIAM DUDLEY FOULKE, RICHMOND, INDIANA.

We are told that municipal governments are business corporations, not political corporations—and in one sense this seems evident enough. It is quite clear that the mayor and members of council who have to deal with questions of local administration and improvement—the laying out and maintenance of streets, drainage, gas, electric light, street railways, fire protection and police protection will hardly do their work better or worse because they happen to believe in a high or a low tariff, in a gold or silver standard, in expansion or anti-imperialism; yet men are chosen for these local duties on account of their affiliation with ntional politics on one side or the other—a thing which upon its face looks like a manifest absurdity.

In one sense indeed there is a kind of politics which properly belongs to municipal government—the policy of the city administration in lessening taxation by wise economies, or perhaps of increasing it in order to secure some needed improvements—the reorganization of the police or fire departments under the competitive system instead of the spoils system, the establishment of better safeguards for auditing the accounts of city officials—such things as these involving questions of policy are in a way political. But they are political only in a municipal sense. They are questions of city politics and not of state or national politics. But yet city affairs are largely controlled by public questions which have as little real connection with them as the politics of Russia or Japan.

Many men deplore this incongruity, yet fail to point out any way by which it can be avoided. They may preach to us in general terms and convince us abundantly yet so long as the party

organization in the city remains identified with that of the state and the nation their preaching will be vain.

Again men complain of the corruption and evils of ward politics, of the low grade of those who are put in control of municipalities, especially in city councils and they urge "the better element" as they call it, to come out and take a more active part in public affairs, yet so long as these "better men" are continually outvoted, and see their efforts come to nothing, they will be loath to give their time and energies to so little purpose.

So long as there are wards, there is sure to be ward politics, and so long as any class of men do not see any prospect of obtaining for their views, any representation in the city government they are likely to remain at home.

The plan of making city representation depend upon arbitrary geographical divisions is a very clumsy contrivance. It gives no security that the wishes of the people will be represented at all. A city is often so divided that a majority of all the citizens is not represented by a majority of the wards or a majority of the council. We often see this fact occurring in our states as well as our cities. The Legislature of New York has often been Republican when the state was Democratic because the great Democratic majorities were massed in a few districts in the city of New York, while the slenderer Republican majorities were scattered over the state. This is bad enough when it occurs by accident and without any purpose of bringing about misrepresentation, but it is still worse when wards or districts are specially laid out for the purpose of securing an unfair advantage by means of the gerrymander.

Again, the different wards continually change in population and readjustments become necessary, and with each recurring reapportionment there comes up the same wearisome strife to secure some new political advantage in favor of the party that happens to be in power.

But even if the wards are mapped out with the utmost impartiality, a really representative city government cannot be secured in this manner.

The lines which divide men's opinions in regard to city policies and city administration, are not ward lines at all. It very rarely

happens that the interests of the Fifth ward are opposed to the interests of the Sixth ward, or that a councilman is called upon to represent any particular section of a city which he could not represent just as well if he were chosen by the people at large. The principal differences which exist among our citizens are not geographical. They are differences of interests, of views, of convictions on matters of general policy, or they are differences of opinion regarding the integrity or qualifications of particular officials.

These ought to be represented by allowing the particular interests or opinions of each class of the community to be represented without reference to the place where the man holding such opinions happens to live.

In this respect, representation in the free cities of the Middle Ages was far more rational and far more effective than our system to-day. These cities were in their origin business corporations chartered by the king. The merchants elected their mayor or president, and after a while each of the trades elected its own head or alderman and these met together in a kind of trades assembly. Each man in this assembly represented his own particular interest, and in this way there was a pretty fair representation of all the important special interests of the city, and the corporation had more vigor and vitality than our city governments at the present day. Now it is far more important to represent a particular principle, or a particular trade or class of the community than it is to represent a particular ward. There is no great amount of enthusiasm or even local patriotism which can be called out in behalf of a ward or an election district. On the other hand, there is a great deal that can be evoked on behalf of a strong trades union or a great university. Strong men can be found to represent these who would be quite unwilling to serve as alderman from the second ward.

I think I hear some critic saying that special interests are the things we ought to suppress. I believe on the contrary that so long as every man's own special interest receives its proportionate share of representation, that each will protect us against the improper aggressions of any of the others far better than we are protected to-day.

At the present time it is only compromise and colorless men (as Professor Commons says in his admirable article in the *Independent*), who can get majorities in the wards and districts—men who have few enemies because they have no backbone—men who are outspoken for no interest and who for that very reason are the tools of special interests. Such men are kindly furnished to the voters by the boss and they are his tools. Consequently representative government has decayed and the irresponsible boss has emerged because no device has yet been discovered by which we can return to the original principle of representation of interests on the higher level of universal suffrage.

These private and special interests are often indeed very potent in our present city governments, but their representation is not in accordance with their relative importance, and their influence is frequently of the most sinister kind, and exercised secretly and corruptly. It is in the lobby, not on the floor of the council chamber that they appear and here they work their good and their evil projects, by means that are sometimes praiseworthy, but often vile—not openly in the light of day, but by persuading, cajoling, threatening or purchasing. Now I believe that in the long run it is not good to have this sort of influence "behind the throne," that it is far better and healthier in our municipal and our public life that the real possessor of power should be the ostensible possessor of it, that each member of council so far as practicable should be known to be the representative of the particular interest by which he is controlled. That will lead to greater frankness and honesty. If these lobbies were officially recognized and legalized, if they were all thrown into one body and required to fight out their struggles for control, we should have some protection against their most evil influence which depends upon secrecy and anonymity.

But we want a system which shall represent not only organized interests but also those which are unorganized, so far as they can be collected, to secure proportionate representation. We want a system by which constituencies shall form themselves and constantly adapt themselves to new requirements.

The men who think alike upon any question arising in city government will naturally act together if you leave them free

to group themselves as they see fit, but they are now separated by arbitrary ward lines and prevented from acting together. Most of the issues in which they are interested will relate to the whole city and there is no need of this division. But even in local questions the men who desire to combine in favor of some local measure can do so all the more readily if there be no arbitrary lines to sever them. The present ward system often forces together those who have no common sectional aims, and it sometimes keeps apart those who have the strongest local interests to unite them—the men for instance who live on different sides of a single street for which they desire to urge or to prevent a contemplated improvement.

The true law even of local representation is that it shall be voluntary and spontaneous. Let the inhabitants of the different neighborhoods be free to combine as they please and local interests will then receive their most complete representation.

In municipal government, proportional representation will finally eliminate state and national politics. Whenever the advocates of special city interests are free to form separate groups and do not have to depend upon the national parties to get a representation in the council, from that moment the power of the national parties in council begins to be weakened. These particular interests will grow stronger and business administration will naturally take the place of political administration.

The system of dividing the city into wards has led to the rule (established by custom) that the member elected must reside within his own ward. Thus the competition of available candidates is confined to the ward limits. Proportional representation, electing the councilmen from the whole body of the people, will produce broader men who will act upon broader principles and the voters will look not merely for their most efficient representative in the ward, but for the man who will most fitly represent their interest or mode of thinking in the entire city. A larger area of competition will produce a higher kind of representation.

Under our present system of ward and district representation there is an immense loss of voting power. Generally nearly half of the entire body of the electors, sometimes more, cast their votes for a candidate who is not elected. No adherent of a defeated

party can properly look upon any member of the council as his representative. On the contrary the member who comes from his ward is just the man he did not want. This waste of voting power is entirely unnecessary. The minority can be and ought to be represented in council as accurately as the majority. The right of suffrage is a barren right if it accomplishes no results, and it certainly fails when the man for whom the ballot is cast is not elected. Under the ward system nearly half the voters are practically disfranchised.

Objection is sometimes made that it will be dangerous to allow the advocates of wild and impracticable schemes to have even a single member in the representative body. It is asked, "Do you desire that anarchists may elect a representative?" Now to me it seems that anarchists with representation are no more dangerous to the state than anarchists without representation. The safest way to silence the unreasonable and discontented is to give them the fullest measure of justice. One of the great advantages of proportional representation is that it gives to every class of citizens a fair opportunity to be heard. Give truth and error a chance to fight in the open field and there is little risk. It is the confined explosive that is perilous. And sometimes when we little dream it the new idea of the so-called crank may contain the germs of the highest kind of wisdom. The so-called "levelers" of past times were perhaps more nearly correct in their social ideals than the conservative opinions which sought to repress them.

But the main objection to proportional representation is that under it the representative body will probably be made up of small groups, no one of which is large enough to control its action or be responsible for its policy—and the claim is that an absolute majority one way or the other is always desirable.

Now this may be true for executive and administrative purposes where unity is necessary for good government, but if the full executive power of a city is vested in a single head, as proposed by the Model Charter, this difficulty is largely eliminated.

For I deny that an absolute majority in a deliberative assembly is desirable if there be no such majority in the people at large. It is of the highest advantage that special interests should have

the fullest means of expression and the most complete liberty of action in the legislative body. The best means of arriving at an accurate judgment in a law case is to allow each party to set forth its own views in the most extreme and unfair way if it chooses, subject to contradiction and refutation by those who have adverse interests and views. Would this be less true in a legislative tribunal?

There are many plans by which proportional representation may be practically applied, but the Free List System, as it is called, which has been tried and found effective in the cantons of Ticino, Geneva, Neuchatel, Zug and Solothurn in Switzerland, as well as in the city of Berne, seems to me the best, and it has been already tested by satisfactory practical experience. The members of council are voted for at large upon a general ticket. The official Australian ballot may be used. Each party or group of electors must file in the proper office, a given number of days before election, a list of its candidates. This list may contain the names of as many candidates as the city is authorized to elect, or it may contain a less number. Thus in a city electing fifteen councilmen each party may nominate fifteen candidates or any smaller number. It would not often be desirable to nominate the full number, but only a few more than the party could reasonably hope to elect. The rules for nomination by party or petition may remain the same as they are now under the Australian system. The names of the candidates are then printed on the official ballot. If the candidate is named on several ballots he must make his election, or if he fail, it may be made for him by lot.

Each elector has as many votes as there are candidates to be elected—in the above case he has fifteen votes, and he may distribute these votes as he pleases. The different groups or lists will appear in separate columns on the official ballot—headed "Labor Union Party," "Water Works Party," "Democratic Party," or what you will. In addition to voting for the candidates by name, the voter may, if he so desires, fix his stamp at the head of the party column, thereby signifying that he votes for the party. In this event however he is only allowed to vote for the particular candidates who are named in that party ticket, for it would be manifestly unfair to allow a Republican to vote

the Republican ticket and then let him determine by his votes for particular candidates, which of the Democratic candidates should be elected.

Should the voter thus vote for a party or group ticket and not use the entire number of votes to which he is entitled for particular candidates, his unexpressed votes are to be counted for the ticket which he designates by title. If I am a "Labor Union" supporter and fifteen candidates are to be chosen, I stamp the party ticket at the head of the column and I also stamp the names of the particular candidates whom I prefer—three, four, five, as many as I like. Now, I am entitled to fifteen votes and these votes are all to be counted in determining the number of seats to which the "Labor Union" party is entitled, while the votes which are expressly given to particular candidates count in determining which of these candidates shall be entitled to the seats.

If, on the other hand, I do not wish to support a party ticket at all but desire to scatter my fifteen votes among candidates of various parties, I may do so. In that case I must not stamp the head of the column, then I will not vote a party ticket and my votes will count simply for the individuals for whom they are cast. I may vote for the whole fifteen candidates or for any less number. This terminates the duty of the elector. He votes for the fifteen men he wants, or, if he prefers, he votes a party ticket and then selects the men within that party and divides his vote among them as he wishes.

The votes are now counted. Every vote for a party ticket counts as a vote for all the candidates to be elected, say fifteen votes. All other votes where the party ticket is not stamped count for the individuals for whom they are cast (fifteen or less as the case may be). These votes are all added together and the sum total is divided by the number of councilmen to be elected (fifteen). The quotient gives the "quota of representation," that is the number of votes that are entitled to elect one councilman. Each party or group is then entitled to as many representatives as it has quotas. If the sum of these full quotas be less than the number of councilmen to be elected—the parties or groups having the largest remainders are entitled to the remaining seats.

This determines the number of members in the council to which each party or group is entitled. The next thing is to determine which of the particular candidates of each party or group are to have the places. This is a very simple matter. A second count is made of the number of votes given for each individual candidate and those who receive the greatest number of votes are entitled to the seats. If any member of council die or his seat become vacant during his term for any other cause there is no need of a new election, for his place may be filled by the candidate of his own party who stands highest upon the list of those who have not been elected.

This system of voting is practically as simple as the Australian ballot system which it supplements. If any citizen desires to run as an independent candidate, a petition signed by the requisite number of voters constitutes a separate nomination and in that way a separate party or group, and each elector who votes for him by stamping the head of the column has the same voting power as one who divides his vote among fifteen candidates individually. In that case (and in any other case where the elector chooses) his fifteen votes all concentrated on a single man.

This free list system has already been tested by practical experience, has been found satisfactory, and has been extended from one Swiss canton to another.

When I was in Geneva a few years ago I asked what was the general opinion in regard to it. "How can any one object to it" was the answer, "when every one has his fair share of representation?"

The free list system is an American invention. It was first suggested in 1844 by Thomas Gilpin, of Philadelphia. It has been adopted by a republic whose institutions are much like our own and whose excellent government is in many other respects worthy of imitation. It is fair and just to all. It eliminates the gerrymander. It reduces to a minimum the unrepresented minority. It gives each particular interest and shade of opinion a chance to be represented and heard in an effective and a legitimate way. It gives the voter the fullest liberty of choice, and while it recognizes party lines it enables each voter to vote effectively if he so chooses, quite independently of party, and it is sure in the end to

diminish and probably to eliminate the influence of national or state politics in city government. The councilmen chosen by this system will represent the particular part of public sentiment which chooses them rather than a meaningless artificial geographical area, they will stand for their own particular views of the interests of the whole city and not of a mere ward. They will be selected from the most competent men of the entire city and the choice will not be restricted to ward lines. They will be broader, abler ad better men. The council elected by such a system will be the people of the city themselves in miniature. The representative body will be like the image on the camera—every light, color, shade, form and motion will be reproduced in miniature within the physical space necessary for deliberation and legislative action.

If we have faith in popular institutions, let us not hesitate to trust that kind of representation which will for the first time truly embody them.

# THE IMPROPER INFLUENCE ON LEGISLATION BY PUBLIC SERVICE COMPANIES.

JOHN F. BURKE, MILWAUKEE.

Like Hamlet, I must begin with an explanation. At the *thirteenth* hour, in a moment of weakness, or as it now seems to me, of almost complete mental aberration, I reluctantly consented, *not to fill,* but *to rattle around,* so to speak, in the place of the distinguished gentleman to whom this subject had been originally assigned, but who, at the last moment, by force of unforeseen circumstances and for reasons entirely justifiable was prevented from discussing it. It is a matter of regret for he is eminently qualified for its intelligent and comprehensive consideration, by learning, experience and ability. There seemed no one else foolhardy enough to storm the breach; I consented to be the victim, and as the politicians say, sacrifice myself for harmony and the cause.

I was, however, sane enough to base my acceptance upon one condition and when asked to name it, answered that it was contained in the reply of Max O'Rell to the pompous deacon who was about to introduce him to a strange audience in a wild western town: "Mr. O'Rell, when introducing you, what do you wish me to speak about?" said Mr. Deacon. To which the clever Frenchman quickly replied, *"About one minute, sir."* Now, my friends, I wish you to consider, not so much the wit inherent, as the promise implied in that brief quotation. I hope you enjoy its wit: I will try to fulfill the promise.

The subject assigned to me is a large and important one. It has challenged the consideration of the most profound and patriotic students of our civil polity, institutions and government. Much has been and more might be spoken and written upon it. It is not an isolated question but is closely interwoven with others,

pressing home for solution with ever-increasing importance, as humanity and wealth concetrate in our great urban centres and our civic, social and industrial life—yea, our very civilization itself—is changed and modified by inventions, discoveries and improvements, in all their varied and manifold forms. It is co-related with, is influenced by, and in turn influences other important domestic questions, such as taxation, civil service reform, separation of municipal from state and national politics, home rule for cities, and even the triumph of one or the other of the great political parties.

Possibly, I am presuming too much on the assumption implied in my subject, for it contains a large assumption, which like every assumption is open to challenge and must justify itself. Consider for a moment what is implied in "Improper Influences on Legislation by Public Service Companies." Speaking largely it implies not only moral turpitude, but also actual criminality on the part of both the legislators and the companies—a grave charge not to be flippantly made. One falsely publishing it is liable in damages and also to criminal prosecution. Wild and vague charges retard rather than advance reform. Its worst enemies are sometimes its self-constituted champions, whose rashness and crudeness and ignorance of facts, conditions and consequences, coupled with their extravagant, and sometimes unfounded, statements, charges and innuendoes, not only alienate good men from the cause, but often drive them into open hostility.

Yet, we must not forget that revolutions are sometimes necessary and, as said by Napoleon, "Revolutions are not made of rose-water."

Is there such a thing as improper influences on legislation by public service companies? I have not had the time to gather facts and statistics, and I fancy you would not care to listen to them,—for statistics, like reading the dictionary, may be instructive, but certainly not entertaining—and figures with all their alleged veracity may at times by proper manipulation become the most consummate liars. Put the question squarely to different people and the answer received will depend upon the person interrogated. I am rash enough to assert that the most persistent

and ingenious reporter could not extract an affirmative reply from such experienced, excellent and patriotic citizens as the Honorable Richard Croker, the Honorable Thomas Platt, the Honorable Matthew Stanley Quay and others of that class, "too numerous to mention," who are popularly supposed to be the happy possessors of all the secrets of politics and government, either under or outside the constitution and laws of the land. One and all of them would assure the "young man" that that was an unfounded popular delusion; to seek "copy" elsewhere, or possibly suggest that if he could get at the real wickedness of the other party he would have sufficient material for an *"extra."* Ask the venial organ of a political gang and you will be laughed to scorn or deluged with vituperation or calumny. On the other hand read the reports of committees of Congress on land grants to railway companies; examine the records of our state legislatures on the same and kindred subjects; read the reports of committees of common councils, boards of aldermen, boards of supervisors and of other legislative or quasi-legislative bodies of greater or less scope, acting under delegated or inherent powers, on the granting of franchises to gas companies, street railway companies, electric light companies and water companies and other public service companies, and note their contents; consult the records of our criminal courts and find therein judgments sending whilom prominent citizens to the penitentiaries, sometimes for long terms of years, for buying and bribing legislators, and also the convictions of those selfsame legislators for being bought, for breaking their oaths and violating their trust and selling the sacred rights of the people for a mess of pottage. Read this black record. Think of how comparatively few convictions there are in cases of this kind, and tell me who so dare, that there is no "Improper Influence on Legislation by Public Service Companies." There are the records, and he who runs may read. I have no desire to overstate the case. These base things are the exception and not the rule. They constitute an evil in our political and public life, which should be minimized if it cannot be cured.

These public service companies have done all these evil things. They have corrupted voters, bribed juries, bought legislatures,

and even have invaded the sacred precincts of the courts of justice. All these they have done, and more. But let us be honest. Let us be just. The blame is not wholly theirs; they have been sinned against quite as much as they have sinned.

We all know the "Barkis is willing" kind of legislator, with his outstretched itching palm; the man without shame or honor who flatters and conjoles the voters, who seeks office only to prostitute it; accepts trust only to betray it and sandbag, rob and blackmail, timid but otherwise honest men and institutions. I know a persistent office holder, able and eloquent, whose sole object in holding office is to use his official position for purposes of extortion.

Dealing with this class of legislators, and it is by no means a small class, these great corporations use the best means at hand: their motto is to "Fight the Devil with Fire." They (or rather their representatives) will tell you when discussing this subject, they are not grand juries, states attorneys or *"reformers;"* these are matters for the *"people's"* consideration which they have no time to devote to; they are in business simply as business, and often the only question asked is "What is the price?" This they usually pay if not too high. It is the easiest and most expeditious way for them to do business. Many if not most of them would rather deal honestly if they could; they are forced to be unjust to the people by the injustice of the people's representatives.

Think of the almost fabulous investments in railway companies, street railway companies, gas and other companies, which seek charters, grants, franchises and contracts from legislators of all kinds.

Think of the masterful, ambitious, domineering men who manage these great interests, to whom success is everything; who must show dividends for stockholders. Consider the contest between these men and the legislators, and the wonder is not that there is so much, but that there is so little corruption in our legislative halls.

Formerly these great corporations invaded the legislative halls with a horde of lobbyists. This has been largely changed, especially in the older states. The law of evolution, acting on our political life, has produced a new and strange creature of large

figure and ominous import,—the political *"Boss"*—with a big "B," with whom "they deal directly in a strictly business way." The "Boss" both selects and elects the members of the legislature. They are his obedient, well-paid hirelings, and humbly obey his mandates. He can and does "deliver the goods."

Mind you, I am speaking now of the highest type of the pure political *"Boss."* Some say "All Bosses look alike to me." That however is but a partial truth. They all have certain characteristics in common, and yet as one star differeth from another in glory, so may one Boss differ from another in fame or infamy, but as all stars are ruled by the same law so do all bosses act from the same cause, and for the same objects. The strictly party manager should not be confounded with the pure political "Boss." Much confusion exists in the popular mind on this subject. The ambitious party manager conducts his campaign, marshals his voters and carries elections from pure love of power; to impress and mould the government to the policy and ideals of his party, or at times for purely patriotic purposes. Not so the Boss in his highest development. His ambitions and purposes are other and different. I use the terms Boss and Bossism in no spirit of contempt, but respectfully and seriously, as the only one that can describe a power which while it exists outside of the law is yet stronger than the law. One such boss using all these and other powers and perquisites I have in mind. A nominal government is installed in the city which he rules and while perfunctorily discharging its functions, it is still his pliant tool, his weapon of terrible power, both offensive and defensive. All the powers of that great city, legislative and executive, are centred in his hands. He has even assailed its judiciary—theretofore considered sacred. Every financial interest of that great city courts his favor and dreads his hostility. He can send the stock of the great corporations soaring above the mystic line of par value, or depress it to the gloomy depths of bankruptcy. Every office holder lifted into public employment is his sworn liegeman. What contractor would refuse to divide profits with him in hope of future patronage! What corporation exercising a franchise under him would dare incur his hostility; refuse to comply with his *"requests"* and *"respond"* to his *"suggestions!"*

It is only necessary to incur his displeasure to have ten thousands wits ready to destroy you at his beck and nod. Social success can be had for nominations bestowed. If avarice can move him, wealth beyond his wildest dreams will fill his coffers. Tens of thousands fawn upon and flatter him. His daily life is one triumphal procession. He stands at the head of one of the most efficient and powerful organizations the world has ever seen. Where can you parallel it? Clive with the Nabob of Bengal at his feet never enjoyed such power or opportunities.

This is not "another story" from Kipling, not a page from Grimm or Æsop, but a very crude, inadequate and imperfect sketch of the real ruler of the greatest city on the American continent to-day. Enthusiastic men have risen up and hurled themselves against him only to be utterly crushed. The shafts of public criticism are as harmless to him as were the crackling darts of Priam when hurled against the walls of Troy. "What will you do with him?" has been thundered at the people of that great municipality time and again and sphinx-like they answer not. "To this complexion have we come at last." What, you may ask, has all this to do with the subject assigned me?

Is it not clear as the noonday sun that but for emoluments and revenues derived from sources above indicated, this man and his organization were impossible? Is not this condition largely if not chiefly due to the exercise of "Improper Influence on Legislation by Public Service Companies?" Who can deny it? Is not this a notable instance of its baneful effects? One such instance is worth whole volumes of statistics. "It is a condition and not a theory that confronts us." This condition exists not in one locality but to a greater or less extent in all large cities. And, generally speaking, the condition increases in gravity with the size of the city. Our Democracy has shown itself weakest in the government of cities—chiefly, I fancy, because of the problems it has had to meet in national life. "Bosses" and "Bossism" seem to flourish under democratic governments. Are they inherent in it, or mere incidents? Others must; I cannot answer.

Two questions suggest themselves: What is the cause; what is the remedy for all this? Ambitious, if not reckless, indeed, were the man who should attempt to answer these questions off-

hand or without long and careful study. Not by way of answer but rather of repetition and suggestion, it has been said that this condition is due chiefly to the bad citizenship of alleged good citizens, to the neglect of voters to take the active and intelligent interest in political affairs which they devote to their private businesses. Possibly the remedy may be found in the deliberations of the distinguished and patriotic men who have honored this city by assembling here. They are men of the highest order of intelligence, patriotism and learning. They have given profound and careful study to all these important, social and political problems. They note the changes and tendencies in our changing and shifting civilization, for it must be remembered that, in the words of the peoet, "All things are changeable save the Eternal spirit of change."

These men from the abundance of their wisdom and the fullness of their learning can advise, admonish and counsel us, and it were well that we should heed them.

To point our errors and defects and suggest remedies is not pessimism but patriotism; to ignore or condone them is treasonable.

I believe that in time all these vexing questions will be satisfactorily solved by our people in whom I have the supremest trust and confidence; for it must be borne in mind that the history of this republic as a whole gives no occasion for gloomy forebodings of ill. Whenever a national crisis has occurred, whenever a political regeneration has become necessary, whenever the national existence has been imperiled, whenever corruption has become dangerous, whenever the leaders have been in despair and have run hither and thither in doubt and confusion, the great masses of the people have been equal to the emergency.

# THE INFLUENCE OF PUBLIC SERVICE CORPORATIONS ON CITY GOVERNMENT.

DR. WASHINGTON GLADDEN, COLUMBUS, OHIO.

The relation of public service companies to city governments is the topic which has been assigned to me. It is a subject on which much is pretty well known that cannot be definitely stated. Some of the relations between public service corporations and city governments are open and public; all of them ought to be; but it is generally believed that relations of a subterranean and illegitimate character are often established between representatives of the city and representatives of these companies by means of which oppressive powers and privileges are granted to the companies and the public is made the prey of their rapacity. Some of these transactions have been exposed and punished by the courts; they are not matters of suspicion, but of record. It is not disputed that New York aldermen received about $20,000 apiece for voting for the Broadway surface franchise; that was proved in court and some of the bribed aldermen went to prison. Mayor Pingree, of Detroit, has stated over his own signature that the Citizens' Street Railway Company of that city offered $75,000 for his influence in securing legislation which they desired. Ex-Mayor Black, of Columbus, has publicly declared that $25,000 worth of stock were once promised him for his support of a certain measure. Mr. Bemis quotes a street railway financier who told him that when he offered to build extensive railway lines in Chicago with a three cent fare, he was informed by members of the city council that items of that nature were unimportant; that the essential thing would be the payment of $25,000 to the aldermen as a retaining fee, so to speak, with $250,000 more when the franchise was secured. This sum, if reports are to be trusted, was but a fraction of what the existing street railway company

expended in the Legislature of Illinois, and was ready to expend in the Chicago council for legislation in its interests. In the legislature the bribe was effectual; it only failed in the council because a well-organized and resolute lynching bee appeared to be imminent. The Philadelphia Gas Works was leased to the present company at a certain figure when another company, believed to be responsible, was offering to take the same contract and pay the city a bonus of ten millions of dollars for it. It is not to be supposed that these capitalists were offering the city of Philadelphia ten millions of dollars for nothing, and the action of the council in this case is very naturally supposed to have been dictated by other than public reasons.

I have only mentioned but a few of many instances in which corrupt relations are believed to have existed between city governments and public service companies. The whole melancholy story does not need to be told. It is a shameful record—one that no American citizen can contemplate without a sinking of the heart. "The recent history of American municipalities," says Mr. L. S. Rowe, "has shown that the inability of our city governments to maintain control over private corporations performing quasi-public functions, constitutes the greatest danger to American local institutions. It is scarcely an exaggeration to say that these corporations have succeeded in intrenching themselves as the real power behind the constituted authorities, in all matters affecting their interests."

It is not to be assumed that such illicit relations always involve the payment of money by the corporations to the municipal officers. A competent investigator expresses the belief that the amount of money received by councilmen in the Philadelphia gas steal was not large. "The truth would seem to be," he says, that the members are not self-acting agents, and therefore, with few exceptions, not in a position to demand a bribe. An assertion was made to me by one of the members that there is not a man in councils who does not sit there at the sufferance of some boss. The different railroads have their political agents. These agents are local bosses in small sections of the city. There are a few men in the councils known as belonging to the Reading Railroad's political agent, others who belong to the Traction's

political agent or the political agent of some other company who must go to council from time to time and ask favors. In order to get a bill through council one must secure the approval, not of the councilmen, but of those who control them. Unquestionably it is as bad to bribe a man whom you know to control the councilman's vote as to bribe the councilman directly, but it is much harder for others to prove it."

It is quite true that the influence of public service companies upon municipal officials is often indirect. In many instances it is exerted through the agency of the local boss, to whose funds the companies make liberal contributions. Nominations are dictated by him, and when he has paid the election expenses of the candidate he sees no good reason why he should not control the work of his hands. Sometimes when there is no local boss who can be trusted the companies, through attorneys or other agents, take an active but somewhat shadowy interest in nominating and electing city officers; it is the common understanding now a days that elections are carried by money, and impecunious candidates are often gratified by secretly proffered assistance from those who hope to be remembered in their time of need.

But along with these cryptic operations there is much direct and flagrant bribery. And the surprising and appalling thing is that so many of those who occupy high positions in society and in the church are more or less closely connected with this nefarious business. In writing, two years and a half ago, of the lease of the Philadelphia Gas Works, Mr. William Draper Lewis says: "There is an almost universal belief among all classes in the city that bribery has been used to obtain the acceptance by the city government of this lease. This belief is not confined to those who are opposed to the lease, but is shared by many who were strongly in favor of it. The words 'eminent respectability,' had they not been used in an offensive sense, would accurately describe the men connected with the company. The belief that these men used bribery to obtain property shows to what depth of degradation we have come. It is possible for a large part of the community to believe without direct evidence that some of the first of their fellow citizens have acted as rascals." It is possible to believe it, because it is impossible to doubt it. When such

men are seen walking off with the stolen goods in their possession, it is difficult to believe that they have had nothing to do with the theft. Mayor Swift, of Chicago, conveyed to the Commercial Club of that city the precise truth: "Who bribes the common council! It is not the men in the common walks of life! It is you representative citizens, you capitalists, you business men."

Of course the actual negotiations with dishonest officials are not apt to be conducted by the leading stockholders and the influential directors. There is generally a "wicked partner"—general manager or confidential agent—who attends to the details. Probably the eminently respectable take great pains to know nothing about it. But it is not, after all, a very profound secret; if the "wicked partner" did not know that what he did was acceptable to the rest, it would not be done. And very often there is not much concealment; bribery of public officials is openly justified on the ground that "a man must protect his property." "What would you do yourself?" these capitalists demand. "Would you sit still and have your hard earnings and the accumulations of years confiscated by robbers?"

It is getting to be a prevalent notion that bribery to prevent the spoliation of properties by rascally officials is entirely justifiable, almost meritorious. It is just here that the public conscience needs toning up. I can see, for my part, very little distinction between the coward who is bullied into bribery by the public spoilsman, and the corruptionist who himself takes the initiative. The one lets bandits make a tool of him and the other uses the bandits as his tools. Which is the more honorable? On the whole I have more respect for the aggressive briber.

"But what would you do?" these respectable people persist. "Must not a man protect his property?" And they cast upon you glances of ill-concealed compassion because you fail to see that nothing else is worth thinking of when property is at stake. What answer shall we give to those who ask this question? Any man who understands what citizenship means, would be prompted to say: "I haven't much property to lose; but my life is worth as much to me, I suppose, as any man's property is to him; and I would part with it, very quickly, before I would consent that any public official should be bribed for my advantage.

And a man who would not sacrifice in a minute all his property, rather than have any part or lot in the corruption of his government, is a man whose patriotism is of a very cheap variety." The fact is that the real criminal in this case is always the man who pays the money—and it matters little whether it is solicited or proffered. The man who pays the money to influence legislation—whether it be to avert hostile legislation or to secure favorable legislation—is the man upon whom rests the blame for the corruption of government. Spare your censure for the venal legislator or councilman; he would have no power to do harm if the men who have the money that he wants did not themselves regard money as worth more than righteous rule and the safety of the state.

It is by no means true, however, that these combinations of capital are always on the defensive against official strikers. They are very often in the field with their money actively seeking to entice and debauch public officials who would be, but for their evil influences, honest and faithful. Young men who are not boodlers, whose life has always been reputable, are corrupted and led astray by temptations addressed to their desire for money. There are those to whom a bribe is no temptation; but the inexperienced and ambitious, whose virtue is not thoroughly grounded, are often successfully assailed by such solicitations. It is getting to be a perilous thing for a man who is not encased in adamantine armor of integrity to occupy responsible municipal office.

The greatest danger to American institutions arises from the relation of these public service corporations to city governments. Professor Commons says: "As the people become aroused to the degradation of their politics, and to the need of reform, their attention is concentrated on the chief source of that degradation, the underhanded and often highhanded domination of city officials and machine politics by the corporations whose life is maintained by city franchises." Professor Ely says: "Our terrible corruption in cities dates from the rise of private corporations in control of natural monopolies." "It is a fact," says Mr. Charles Whiting Baker, "that out of the relations between city governments and franchise companies have grown three quarters of the municipal corruption of the past two decades." That this is the

simple truth no careful observer of current events will be likely to deny. The monumental proof of the ascendency which such corporations have gained over the city governments is seen in the enormously inflated capitalization which is almost universal. The steam railroads of this country, according to the last report of the Interstate Commission, have a gross capitalization—stocks and bonds—of $59,620 a mile. That the steam railways are heavily overcapitalized is not doubted. But the street railways outside of Massachusetts, were stocked and bonded in 1898 for an average of $98,755 per mile, 65 per cent more than the steam railways. In Massachusetts some strenuous efforts have been made to prevent the inflation of capital; the result is that street railways in that state are capitalized for only $45,595 per mile, less than half of the indebtedness in the rest of the country. Yet the number of cars per mile of track is greater in Massachusetts than in the rest of the country, and there is no reason to believe that the equipment or the service in that state is inferior in any respect to that of the cities west of the Hudson. The system in Springfield, Massachusetts, where there are three cars per mile and an admirable service, is capitalized for only $33,000 per mile. The Massachusetts figures show what can be done, with a little resolute determination to prevent oppression; the figures for the rest of the country show what is done when private corporations are left to work their own will. There are few cities in the central and western states in which the street railways and the gas and electric lighting companies are not capitalized for from two to four times the amount for which the plant could be replaced. The indubitable intention is to compel the people to pay for the service much more than would be required to cover the cost of operation and a good return on the money invested. And the expectation is that the city councils can be induced to give franchises by which this spoliation of the people will be legalized On no other expectation could such ventures be made. This expectation has, thus far, been almost universally realized. City councils have generally done substantially what the public service corporations have wished them to do. The charters of such corporations are generally drawn by the attorneys of the corporations; they embody such grants and concessions and securities

as the companies desire; the rights and interests of the people are very imperfectly safeguarded. Contrasting German municipal contracts with those in America, Dr. Shaw has pithily said: "In studying these German contracts one is always impressed with a sense of the first class legal, financial and technical ability that the public is able to command; while American contracts always impress one with the unlimited astuteness and ability of the gentlemen representing the private corporations."

It is true, and it is a shameful truth. It is the gentlemen representing the private corporations who have had things, hitherto, all their own way in dealing with municipalities; the gentlemen representing the city have frequently got something out of the contract for themselves; the people's interests have been ignored.

For this state of things what is the remedy? Doubtless something might be done by stringent state legislation, if the state legislators were sufficiently intelligent and virtuous. But the same power that controls the city council knows how to manipulate the legislature. Indeed, the enterprise of controlling the lawmakers of the state is apt to be less thorny and perilous than that of fixing the city council; for the solons of the state capital are away from home, and easily accessible by well directed influence; public attention cannot be focused upon their operations so sharply as upon the council; most of the communities for which they are legislating are at a distance from the capital. The public service companies, however, whose interests would be affected by stringent legislation, find it easy to raise ample funds and to secure a skillful lobby for the prevention of such legislation. Those of us who live in state capitals know how powerful are the influences which these great combinations of capital are able to bring to bear upon the legislators. It seems, therefore, rather improbable that we shall be likely soon to get relief from the oppressions of these monopolies through direct state legislation. The legislature ought, certainly, to do two or three things at once; it ought to enforce the most complete publicity in the accounts of all these companies, prescribing the method of bookkeeping, and punishing condignly all evasions of them; it ought to limit the capitalization to the cost of the plant and make stock watering a penitentiary offence; it ought to require every franchise to

be submitted to popular vote; and it ought to create a strong state board with ample powers to supervise the operations of such companies. Some such measures of legislative regulation might check some of the worst of the existing abuses.

But, after all, I do not expect that these measures will be found effectual. My own strong conviction is that nothing will reach the case except the public ownership and control of public service monopolies. That may not come for some time yet, and in the meantime we must make the best contracts we can and enforce them as we may, but it is well to confront the issue which is before us.

We may reason as we will about the inexpediency and impracticability of municipal ownership; the decisive fact is that it is required by the elementary principles of democratic government. A democratic people cannot permit the existence of private monopoly; for the very essence of monopoly is taxation without representation. "The charge for services which cannot be dispensed with," says John Stuart Mill, "is, in substance, quite as much compulsory taxation as if imposed by law."

The business of these public service corporations is in its nature a monopoly. It cannot be, it never is, for any great length of time, controlled by competition. The services which they furnish are, for many of us, services which cannot be dispensed with. The charges which they make for them are of the nature of taxation. No such power can be granted to private persons without violating the most elementary principles of republican government. "The established rules of the law," says Mr. Parsons, "logically carried out, would render utterly void every monopolistic franchise and ownership in existence. The public and the public only, may lawfully own a monopoly, because under such ownership, and only under such ownership, does the power of taxation involved in monopoly become a power of taxation for public purposes and not for private purposes."

It is the constant, the flagrant, the universal violation of this primary principle of free government which has bred all the oppression and corruption and bribery and iniquity which infest our city governments. We ought to be in trouble when we thus trample under our feet the first principles of social justice; and

we shall not get out of trouble until we repent of that folly and forsake it. Governments that do not govern—that farm out their highest prerogatives to corporations for private gain—are not entitled to respect and will not maintain their authority.

It is true that some measure of control over these corporations is asserted by the city governments. But it is certain that the corporations themselves have not yet found out that they are subject to the governments; the attitude which they universally assume is that of independent business concerns, which are subjected to a futile but somewhat vexatious governmental interference. They always talk about their business as if it were their private business; they certainly do not recognize the right of the city government to examine their books or to know anything about the administration of their finances. In issuing their stock and selling their bonds they act independently of the city government. The city undertakes to regulate the rates of fare, but the companies generally contrive to keep the rates at a figure at which they can pay interest on their vast masses of inflated capital. They always assume that they have a right to do this. Whenever this occurs we know that the corporations control the city and not the city the corporations.

In truth, the regulation and control of these companies by the city authorities has thus far been but a fine fiction. Nor is this to be wondered at. When the city surrenders its essential functions to private companies and then undertakes to regulate them, it commits an immeasurable absurdity. It hands over the sword and the sceptre to another power and then imagines that it can "regulate" the manner of wielding them. How would it do to commit the preservation of order and the administration of justice to corporations formed for the purpose and content ourselves with "regulating" the corporations? The administration of all monopolies is an essential function of government, and the surrender of it to private hands, no matter under what regulations, is fatal foolishness.

What are the reasons why we should hesitate about reclaiming for our cities the normal functions of government? They all reduce to this: "The public administration of these public service industries is difficult and perhaps dangerous; it is liable to be

badly done by the city; it would lead to increased patronage and the extension of the spoils system." The sufficient answer to this is that many things which it is our duty to do are difficult and perhaps dangerous; that is no reason why we should shirk them. The business of governing cities is very difficult; it demands the best wisdom and highest integrity which the city contains; but it is a business which in this country belongs to the people, and the people must not shirk it, nor any part of it. We may not do it so well as it ought to be done, but we must do it as well as we can. It is not a pastime; it will take time and thought and courage and self-sacrifice; but it is our task and we must perform it. Woe to us if we try to evade it!

This, indeed, is exactly what we have been doing. We have shirked responsibility. We have been saying, nearly all of us, when we were called on to serve the city, "I pray thee have me excused." We have assumed that our business in life is to make money or push our personal fortunes, or have a good time; we have entrusted the whole business of managing the great interests of the city to the bosses and the spoilsmen. Now we say that because these, who are our representatives, are not fit to govern, there is nothing for us to do but to farm out the most difficult parts of the business of governing to private corporations. The reason that the respectable citizen gives for not wishing to have the government administer public service monopolies is the proclamation of his own infidelity to the highest trust committed to him, and the announcement of the fact that he does not mean to do his duty. He knows perfectly well that if the people of American cities—the respectable and intelligent people—would take into their hands their own business, which is the government of the city, and would manage it for themselves, this part of the city's business would be done, as it is done in most European cities, honestly and economically and with vast gains to the people.

There are a great many people who say that the cities must never undertake this business until they have a reformed civil service. I trust that I am not indifferent to the claims of civil service reform; but I never expect to see any efficient reform of the civil service until we have municipal ownership of municipal

monopolies. That will bring it, pretty speedily, I think; and nothing else will. The notion that we must get all our municipal machinery thoroughly reformed before we begin to do our plain duties is quite like to one with which, in another field, I have been somewhat familiar. We used to hear it said that it was impossible for any man to do right until he was converted. That doctrine is not preached now very much in the pulpit; it lingers only in the minds of municipal reformers. The theologians found out some time ago that the only way for a man to get converted is to begin at once to do as nearly right as he can and trust God to help him. It is just as true of a city as it is of a man, and it is to be hoped that the municipal reformers too will find it out before it is too late.

If it is true, as I think no man can well deny, that the vast majority of existing corruption in city governments springs directly from the relations between these governments and the public service corporations, then it is queer reasoning by which we are admonished that we must never interrupt these relations until we secure good government. There is absolutely no way of getting good government except by breaking off these relations.

There is a practical question to which the attention of practical men should be directed. It is evident that we have in all our cities a good many men of standing and influence, who control great masses and combinations of capital and who, under existing conditions, are deeply interested, financially interested, in having weak or corrupt city government. From thoroughly intelligent and efficient city government they could not obtain such franchises as they desire. It is to their interest to secure the election of city officials whom they can control. Is not this tremendous makeweight, so constantly thrown into the scale against good government, a difficult influence to overcome? Destroy this unnatural relation between the government and public service monopolies, permit the government to take into its own hands the functions that belong to it, and all these men would at once be deeply and financially interested in having good government.

That the city government would be exposed to temptations and perils if it assumed this task is not to be doubted. Nobody pretends that public ownership is a panacea. If the people should

elect dishonest men to office they would mismanage the business and heap up the burdens. But the astonishing fact is that those who urge this are so insensible to the oppressions which they are now enduring. "The argument that city governments are too corrupt and inefficient to carry on business is heard every day," says Mr. C. W. Baker, "but nothing is ever heard of the fact that it is easier for a dishonest city official to make corrupt profits through connection with a franchise company, than for gas works or water supply system operated by the city." "The pressure," says Dr. Albert Shaw. "that would be brought to bear on the government to produce corruption under municipal ownership of monopolies like gas, electric light, transit, etc., would be incomparably less than the pressure that is now brought to bear by the corporations. The wear and tear upon the morals of a weak municipal government are greater by far when it comes to the task of granting franchises—that is to say of making bargains with private corporations—than when it is attempted to carry out a business undertaking directly on the public account."

There will be battles to fight for good government, after we have secured municipal ownership of these public service industries; that is not going to bring the millennium; what I am claiming now is what I thoroughly believe, that the line of least resistance runs through municipal ownership. This is the argument of expediency. But even if the path were more thorny than it is, it is the only path to freedom. The people, in a democracy, are the rulers, and they must rule. The functions of sovereignty are theirs and they must exercise them. It may be arduous work, but they are committed to it, and they must not draw back. With a great sum we have obtained this freedom; only by great services and sacrifices can it be preserved. When we are ready to pay a fair price for good government we shall find a clear solution of our tough municipal problems.

# DANGERS OF THE COMMERCIAL SPIRIT IN POLITICS.

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At the outset of my remarks I want to make it known that I am a pretty firm believer in our system of government, its plan and endurance, and that my faith in the wisdom and patriotism of the American people as a whole is unbounded. The record of our country and our government for more than a century is the convincing answer to every complaint of the pessimist or the doubter. It is a record of the greatest progress in the history of the human race. We have survived wars of invasion and wars of conquest. We remain a united people after the most bloody and persistent civil strife in the history of the world. A government that can survive all these trials must be a pretty good institution.

But while our system of government, combined with the honesty and patriotism of the public as a whole, has enabled us to grow from a local experiment to a great world power, it may not be perfect in all its details and when we discover defects I regard it as the duty of the best citizenship to boldly expose errors and seek to correct them. We have grown great so fast that we have not always stopped to consider the morals of our methods, and getting rich in a hurry we may at times have failed to make the right change in our dealings with the people.

In recent years our material progress, that should safeguard the permanence of our institutions, has in reality been the nursery of the gravest dangers that confront our people. While getting rich and growing to greatness that seems to have no limit, we have been slowly, at times unconsciously, drawing away from those simple, but imperative rules of public conduct laid down for us by the wise men who created our system of government. To

the people of older forms and institutions we are known as a nation of shopkeepers, a commercial people. The general charge is not one to be resented and the condition not one to be ashamed of if we had not permitted short weight methods in our political system.

In the early days of the republic, politics, patriotism and statesmanship were in a large measure synonymous terms. Men sought office in those days for glory, not for gain, and accepted public responsibility in a spirit of true patriotism, always seeking to promote the best interests of their country. To-day the system is changed and when a man seeks public office it is far too often with a view to material personal benefit. From a nation of shopkeepers we have become a people dealing in political bargains. Patriotism, in many instances, has become a question of salary and perquisites, and public spirit a calculation in patronage.

A spirit of commercialism has invaded our politics and our statesmanship. Public interests have been sacrificed to private gain. The halls of legislation and the temple of justice have in far too many cases been converted into market places where the highest bidder may secure the most favorable legislation and the most important judgments. Men have discovered that there is money in the business of politics and with many of them their greed is greater than their public spirit. When the favors of a government are for sale buyers can always be found.

This system of making money out of government and politics, commercialism in public affairs, has been a matter of slow and unobtrusive growth. Almost as soon as we recognize its existence we find that it has reached dangerous proportions and that its destruction is no easy task. It is not the ordinary corruption that steals from a public treasury by the crude method of plain theft. We can always discover a shortage and usually catch a thief, but the man who deals in political and government favors as a business is a higher craftsman.

The root of this evil, which is so dangerous to our institutions, may be found in the mistakes in our system of politics. Our machinery for the maintenance of political divisions has become so vast and complicated that large sums of money are required to keep it in motion. We have not yet reached that degree of

public spirit or civic pride where men are willing to spend largely from their private fortunes to promote the general welfare without expectation of direct return. The result is that most of our citizens of means hold aloof from practical politics and leave the field open to less scrupulous individuals. The latter enter politics with mercenary motives. They may be reasonably honest to begin with and feel amply repaid when they obtain office, but once they acquire the power to sell favors few of them are strong enough to resist the spirit of commercialism.

As a nation we love system and order, therefore the creation of compact political organizations is an easy matter. Prosperous as a nation we are prone to personal extravagance and ready to excuse excessive public expenditures. Add to this the widespread feeling that it is not a sin to cheat the government, and we have a fruitful field for dishonest business methods in all our public affairs.

The late John J. Ingalls once said that no employer was so poorly served as a government, the truth of which cannot be denied. This is due to a public sentiment created largely by dishonest politics, and it is a dishonest sentiment, that an office-holder or public employe need not render the same quality of service to city, state or nation that he would render to a private corporation or individual. This is in another form the spirit that would obtain something for nothing and on that the worst form of commercialism in politics will thrive.

It is an accepted and universally practiced theory among practical politicians that, conditions being equal, all offices and favors of government should go to members or friends of the party in power. The public business need not suffer from a fair and honest application of this system, but when commercialism has invaded politics it is an easy matter to make conditions sufficiently equal to justify favors to particular persons.

Place a thoroughly organized party or faction in absolute control of every department of a great city and that power can be used to enrich favored corporations and individuals and to crush any and every legitimate business that refuses to engage in questionable transactions with the representatives of the man whose word is the law. The spirit of commercialism is so intrenched

in politics that however much we may quibble, explain and deny, the fact remains that when individual or corporate interests seek the favor or protection of government they do not go to the men whose votes make laws or to those whose decisions interpret legislation, they go to the man or men whose orders make and unmake office holders.

Financial and business interests are always in favor of peace, not alone the peace of nations, but that condition of quiet and security from sudden change and interruption which creates a safe basis on which to plan for the future. In the days when there are no wars of nation against nation, the peace of business is stability of government or advance knowledge of laws that are to be made or acts that may be changed. That is a peace of price, a quiet and security to be bought in the markets of commercial politics.

Always timid where great interests are at stake capital will buy this peace rather than fight in the open for honest politics, that would create a government from which favors could not be bought. This condition is not due so much to natural dishonesty in business as to that kind of timidity that fears less honest competition. When it is known that the favors of government are for sale there is never a dearth of buyers.

To-day the industrial and commercial interests of this country are largely controlled by a few great combinations of capital, which in turn are controlled by a few men. This is not a desirable or safe condition for any country, especially for one of such vast natural resources. Legitimate enterprise and industry can be and have been checked or throttled by these combinations that are in no sense a natural growth of normal business or political conditions. Every trust in this country to-day is in whole or part a creation of dishonest commercialism in politics.

Honest governments conducted on business principles do not grant to combinations of men or capital special privileges or powers that are denied to the individual citizen. Such legislation is a radical and dangerous departure from the true spirit of our system of government. It is not an honest experiment, to test a new system or to meet new conditions. It is plainly a business of barter and sale in politics and public life.

One of the gravest features of this danger is the toleration with which such methods are endured and the failure of the average politician to realize his moral dishonesty. Men have made money out of politics until they have come to regard such transactions as legitimate. By hundreds and thousands of men who are to-day classed as good and honest citizens, politics for revenue is regarded as a business, just as legitimate and honorable as the buying and selling of dry goods or groceries. Such men do not believe there is any personal dihonesty or impropriety in making money indirectly out of politics and unfortunately that view of the matter is largely sustained by public opinion.

The chief beeneficiaries of commercialism in politics owe their immunity from exposure and punishment to the avarice and selfishness of human nature. So long as they can convey a fair return for the money they receive the public will be kept busy trying to get the better of each other in the transaction. Every man who seeks to obtain a favor from a city or state government by means of political influence expects to pay for it.

When corporations owning franchises or operating under the favor of special legislation can issue a vast amount of stock to be placed where it will be paid for in laws or permits, honest government has small chance of existence. Precisely this condition exists in every state in the Union, and it will not improve until we have legal inspection and regulation of corporations. Under the present system our state governments create trusts and monopolies that make a business of buying any additional favor or special legislation that they may need to crush competition or prevent exposure.

The conscience of a politician can thrive on subterfuge and false reasoning and he can speculate in the stock of a friendly corporation while boasting that he is a faithful public servant.

No man can grow rich on the salary of any public office in this country, and whenever a public officer accepts chances to earn money by reason of the place he holds or the power he wields, he has entered the commercialism of politics and the end of that business is dishonesty and moral bankruptcy.

Dangerous combinations of capital, stock jobbing swindles and dishonesty in politics and public places have grown up together in this country.

Under existing conditions there is no safety and little protection for outside investors who buy the securities of great corporations. A legislature that will charter an illegitimate corporation is just as dishonest as the company that promotes a swindle.

The dangers of this spirit of greed and commercialism in politics and public life we cannot longer afford to ignore. They are real, they are threatening. They are spreading the contamination of public dishonesty through every line of private business. The young men of the country no longer turn to politics and public life as a field for a noble career. If they are honest they find little opportunity for advancement. If great combinations of capital can buy the favor of governments it is only a logical conclusion that in time they will buy and control governments.

The remedy for the evils and dangers of the present system is in the hands of the people. The time has come for them to act and to act effectively. Popular clamor and political agitation against a recognized evil that stops short of effective and intelligent action is as senseless as it is useless. The adoption of a sound political platform does not make good government, and general denunciation, no matter how well founded, will never destroy a trust or reform a public abuse.

The remedy for the evil of corrupt politics is aroused and intelligent public opinion. The masses of the people in this country are honest and that is why I believe in them. Aroused to a full knowledge of their rights and the wrongs they now suffer they will speedily apply the remedy, and once aroused no political machine or combination of politicians can stop them. Government can control and regulate that which it creates and when the spirit of commercialism is crushed out of American politics no trust can buy a favor that is denied the poorest citizen.

# PUBLIC POLICY CONCERNING RAPID TRANSIT.

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How to get the best service for the lowest fares—that is the rapid transit problem in any city. Accommodation, price and how to insure that each shall be reasonable are the three considerations.

1. *Accommodation.*—I can go in great comfort from Milwaukee to Chicago, a distance of eighty-five miles in two hours. But when I reach the Chicago station, it will take me—using the two cars which I must employ, and allowing for the average wait for each—one fourth as long to reach my home two miles distant, and I must ride through dusty streets on noisy cars which are often crowded. I make my journey at a rate ten times more rapid and several times more comfortable in the one case than in the other.

So far as known no computations have ever been made concerning the average speed at which people make their journeys, for example, in Chicago from start to destination, when they employ cars as far as practicable. It is doubtful, however, if, including all grades of rapid transit—steam, electric and cable cars—that are employed, but counting also all time consumed in waiting for cars, and in eking out journeys on foot at either end of rides, this average would exceed six, or at most seven miles per hour. But, considering modern invention, the speed attained in long distance journeys and above all the exigent need of rapid transit in the expanded modern city, seven miles per hour cannot be regarded as a reasonable rate of urban journeying.

The contrast is equally marked in respect to carriage of mail or merchandise. A letter dropped in the Chicago postoffice will

be delivered in a city thirty or one hundred miles away within an interval whose brevity is quite disproportionate to that consumed in delivering such a letter in an outlying ward of the city. If deposited in a residence district at noon, the chances are against such a letter being delivered the same day in a residence district in another portion of the city. A parcel of goods purchased at a department store at noon, is quite as apt to be delivered the same day in Evanston, twelve miles away, as at a point three miles distant on the west side of Chicago.

The problem of local rapid transit is, of course, more difficult and complicated than that of long distance transportation, but the backwardness of the former respecting speed and convenience is not to be disputed and scarcely to be excused.

There are in the main three reasons for this belated local development in speed and convenience of travel, namely: (1) lack of co-ordination between different transit facilities; (2) lack of metropolitan routes, as against down town terminals, and (3) lack of sufficient cars.

The first lack is particularly manifest in large cities. Travel for the longer distances in such cities should plainly be concentrated upon lines, whether steam or electric, which are capable of high speed, and such speed should then be maintained thereon. Accordingly facilities capable only of slower speed should be located and operated in such a way as to facilitate connection with and to promote the greatest amount of travel upon the high speed routes. Chicago provides illustration in point. There are in that city, omitting hacks and a few busses, three sorts of rapid transit facilities, namely: Electric surface lines, electric elevated lines, and steam lines, the tracks of a considerable part of the last being now elevated.

The steam lines radiate in nearly all directions, but with two exceptions, these have not in any high degree been devoted to local traffic, and the two exceptions are by no means operated up to the limit of their capacity for such traffic. Nor can the slower moving surface electric lines be said to be arranged with reference to promoting the use of the steam lines by making their various stations through the city *focal points.* In short, the capacities of the steam roads for rapid local travel, even where their tracks

have been elevated so as to make such travel practicable at a very high speed, are not made available as they should be to the public.

The elevated roads are capable of a less rate of speed than the steam roads, but a higher rate than the surface lines. Not only do they fail, however, to be in any considerable degree feeders of the steam lines for local traffic, but the surface lines fail in like manner to serve in any considerable degree as feeders for the elevated lines. Indeed the capacity of the elevated lines for a much higher speed than that of the surface lines, is in no proper sense utilized. Instead the stops of the former are so frequent, and their rate so moderate that, with the exception of a limited express service, their average speed is but slightly higher than that of the surface lines. Instead thus of co-operating so that each system may do the particular sort of business it is best fitted for, both the surface and the elevated systems try each to do the same kind of business, and in consequence there is often but little choice as to speed between them.

If, for example, I wish to go from the corner of Halstead and Harrison streets, on the west side of Chicago, to the Chicago University, eight miles distant, there are four electric surface routes going in that direction, three steam routes and one elevated route. Yet the chances are that I should take one of the surface lines—and spend an hour in making my destination. A similar situation exists in New York, where a journey, for example, from the lower "East side," to Columbia University in the far northwestern portion of the city, can be made practically as quickly by surface lines as by surface and elevated lines combined. Yet the new underground now being constructed in that city is to constitute still another entirely independent system, instead of being co-ordinated with the existing systems.

Boston seems to have perceived more clearly than any other large city the great principle that all means of local rapid transit, of whatever sort, should be parts of a single system. Excluding steam routes and a minor independent fraction of the surface lines, the entire facilities of that city are now, or when the elevated system has been completed, will be operated by one management, as parts of a single system, and under a plan calculated to exhaust the capacities of the combined facilities to expedite the journey of

every passenger. There are five miles of underground track in the subway in the heart of the city, ten or twelve miles of elevated track are being constructed through the more populous districts, and several hundred miles of surface lines gird the city in all directions. The outlying surface lines will, under the prospective arrangements, serve as feeders to the elevated terminals, and the elevated lines and the subway will both be used to speed passengers through the more central parts of the city. All the facilities of the three levels, underground, surface and elevated, will be arranged, not to compete against, but to subserve each other, and to secure for every passenger, and for a single fare, the maximum expedition possible through the use of any or all of these facilities.

The final step of incorporating into this plan, on the same principle, the suburban steam lines has not yet been taken in Boston, but the logic and the advantage of such a step are obvious.

The acquisition, about a year and a half ago, of the elevated lines of Brooklyn by the company owning all the surface lines, was followed by the report that, through free transfers between the two levels, a similar co-ordination was to be inaugurated there, but this arrangement appears not yet to have been put into practice.

There has also been talk of a consolidation of the surface and elevated lines in New York, with the idea of devoting the latter to long distance travel, and giving free transfers between them and the surface lines. There was likewise a report, while the method of building the underground road was still unsettled, that the Metropolitan Street Railway Company which now controls all the surface lines of Manhattan Borough, desired to build and own that road, and to operate it on this principle, in connection with its surface lines, for long distance traffic. Indeed, it is plain that it would be cheaper for that company to transport a long distance passenger without stops than with them. It is, of course, perfectly obvious too that when the underground has been completed, it and the surface lines and the elevated lines should all be co-ordinated to the best advantage, to the end that passengers, by using either or all three levels may get to their destination in the briefest time and in the most convenient manner. The underground should run most rapidly and stop at longer intervals,

the surface lines should run at a speed adapted to the exigencies of the street level and stop at every corner, and the elevated lines should grade between the two in speed. These last lines should also, in addition to their local traffic, collect and distribute for the underground; and the surface lines, in addition to their own strictly local traffic, should collect and distribute for both the other two. That an interchangeable fare, or a free transfer between the three levels as is provided in Boston, is to be desired in connection with such co-ordination, is of course, plain, though that is a separate matter, and will be discussed later.

The next improvement demanded is the abolition of downtown terminals, and the promotion of metropolitan routes instead.

Aside from the introduction of electricity, the characteristic feature of street railway development during the last dozen years has been, not so much the elongation of routes, as the substitution of diametrical for radial routes, the splicing together at the business centre of two routes from different sides of the city which formerly terminated at that point, and the formation thereby of one route, passing from the outskirts of the city on one side, through the business district, to the outskirts on the other side.

This movement was particularly marked in Boston following the consolidation in 1887 of four-fifths of all the street railway lines of that city under a single management. At that time the lines came in from various directions to the heart of the city, and very largely terminated there, the cars being switched back so as to return on their courses. Their terminals, however, overlapping each other and blocking the narrow streets, had become a serious interference to traffic in those streets, and after the consolidation the service was reorganized so as very largely to convert pairs of such radial lines into single trans-urban lines, thereby doing away with terminals in the centre of the city, and at the same time extending the length of the possible ride without change.

Detroit presents a typical instance of such reorganization. Its five main thoroughfares radiate from a point near the city hall, and the car lines thereon formerly terminated at that point. After the consolidation of the various companies, however, a few years ago, these radial routes were spliced together in pairs at this

centre, and cars were thenceforth operated from one side of the city to the other, passing through the business centre. The same sort of a change has taken place, to a greater or less extent, during this decade, in nearly every large city in the country, Chicago being the one conspicuous and belated exception. There is not in that city a single line entering and passing on through the business centre. Instead, every line which enters that district terminates therein either by switching or looping back, and returns on its route. The down-town district is, therefore, characterized not by transportation routes passing through it, but by numerous terminals.

As a rule, however, downtown terminals have no justification in reason, unless it be in a case of peculiar geography, like that of Manhattan Island. Their existence, moreover, is due to the piecemeal manner in which car systems have come into existence, one company getting a franchise for one line—the shortest that would "pay"—and another company for another such line, instead of all lines being treated as parts of a single system. Such terminals, however, are as illogical as would be corresponding terminals, if one can picture them, in the common streets.

An interesting instance of their illogicalness and incovenience has been the subject of some recent discussion in New York. The Brooklyn lines, surface and elevated, until February, 1898, stopped at the eastern end of Brooklyn bridge. Now they cross that bridge, but stop at its western end, as though that had become the spot where all passengers desired to be landed. Public notice is being called to the fact, however, that the ramifying systems, both of surface and elevated tracks in the borough of Manhattan, have several lines within a few rails' lengths of this congested terminus, and that by making connections therewith, and sending the Brooklyn cars onward over these tracks, passengers would be distributed gradually in lower Manhattan Island, and would be correspondingly forwarded in their journeys.

There is no more reason why the Brooklyn surface and elevated cars should stop at one end of the big bridge than there is why the surface and elevated cars from the north side of the city of Chicago should stop at the south bank of the Chicago River. However, a terminal at that point would be hardly less logical

than are the existing terminals at other arbitrary points in the business district of that city.

One of the effects of such terminals is, that they limit the business area available without change of cars and for a single fare, and thus tend to huddle business together in their immediate vicinity. They fill that vicinity, not with facilities for transportation, but with breaks in transportation. The business district of Chicago is destitute of practicable street car facilities for local travel, since every street car line entering that district, stops there and reverses. None passes on. It is this lack of means for horizontal rapid transit, which led in that city of the plains, and in advance of a corresponding development even in contracted New York, to such a phenomenal expansion of vertical rapid transit—tall buildings and elevators. If transportation in one direction is lacking it must be developed in the other. If the lack of continuous routes through the business district prevents the extension of business space horizontally, it must extend vertically.

Not only do metropolitan routes naturally mean the reduction or abolition of double fares, and the relief of the business area from the surplus car tracks due to loop terminals, but they tend to diminish the number of changes of cars with the incidental waits and to abolish intermediate spaces to be covered on foot. They materially raise thus the average speed and convenience in traveling. To sum up, car routes should be as continuous as streets, and are becoming so.

That the crowding of cars which characterizes all American cities is unnecessary, is deliberately continued by car companies to increase profits and ought not to be permitted, are propositions needing no discussion. That it should be corrected cannot require affirmation.

2. *Fares.*

Passengers should pay what it costs to carry them and no more —that cost including, in case of private operation, such a return upon capital, after conservative management of the business, as would be necessary to provoke investment, and in case of public operation, such a return as would, after conservative management and the payment of fixed charges, also provide a sinking fund to wipe out in time the capital expenditure. To say that the fare

should always be a nickel is, of course, mere special pleading. Other rates of fare exist in a number of American and in all European cities.

So is it mere special pleading to urge that great profits must be conceded in order to secure rapid transit development. All grades of profit have been made in such enterprise, but there is no parallelism between profits and character of service. On the other hand it is in those cities having the lowest fares, and where the most important limitations or constraints have been brought to bear upon the companies—it is in Detroit and Washington and Boston—where the most creditable developments in accommodations have actually taken place.

Finally the very common advocacy of "compensation by car companies to the city for the use of the streets" raises a subject directly related to the question of fares, and one which deserves more searching analysis than it usually receives. Indeed, a candid consideration of this unduly prominent feature of the subject of rapid transit is demanded, and leads one to feel that public sentiment is conspicuously, not to say rather shamefully wrong in its attitude toward "compensation for franchises."

In the first place, the fact is often ignored, or mystified, that the reservation of such compensation means the concession to the company of the privilege of fixing fares that much higher than they otherwise need be. The amount is collected by the company from the passengers and paid over to the city. The city might instead stipulate that this amount should never be collected at all, but that fares should be correspondingly reduced.

In the second place, the term "compensation" is a deceptive one. It is the passengers, and only in a fictitious sense the corporation, that "use" the street, and there is no more reason why a man should pay the city a special fee for the privilege of riding through the public streets in an electric car on rails, than in an automobile on an asphalt or any other pavement. Indeed, there is less reason in the former case, because the passenger as such pays for the iron rails over which he rides, not to mention the fact that in nearly all cases he also pays for paving a strip of the street sixteen feet wide which he does not strictly use, while the automobilist does not, as such, pay even for the pavement which he directly uses.

In the third place, "compensation" is a pseudonym, not only for a form of indirect taxation, but for a peculiarly unjust and impolitic instance of such taxation. This explains the exaggerated prominence given to it by the press and by the people whose property would tend thus to be proportionately relieved from taxation. It is also advocated by politicians, who are more eager for revenue than solicitous concerning its origin. Not only is it taxation per capita, however, instead of according to financial ability, but it is probably the most unjust instance to be found in the whole range of indirect taxation, for it exacts not an equal, but a greater contribution from a poor than from a rich man, and that too when, instead of any public policy being subserved thereby, as in the case of a license upon liquor selling, the free movement of population for business and general purposes is thus burdened and hindered. It not only singles out street railway passengers as a class for special taxation, but it makes those least able among that class pay the largest amount. The shop girl, riding back and forth morning and night, fifty, or fifty-one, or possibly fifty-two weeks in the year, upon her only means of transportation, and adding in each fare a contribution for this "compensation," pays thus into the public treasury, not the same amount as the daughter of the banker, but more, by reason of the fact that the latter does not usually have regular daily engagements at a distance, often goes in a carriage, and is absent from town in summer. The proportion of this public revenue which a given family must pay, would accordingly depend in general not upon its possessions, but, on the contrary, upon its financial pressure—upon the number of its members who must go out to work.

It would be pleasant to credit those whose street railway creed is largely summed up in the demand for "compensation," with ignorance of the real incidence of its burdens, but unfortunately most of them, or those whose interests they voice, are too astute to permit of this assumption.

It is, however, not merely a questionable, it is an ungallant creed, and there is cause for satisfaction in the fact that its prestige is plainly waning. Mayor Pingree repudiated it in the franchise granted while he was mayor of Detroit, the more progressive sentiment in Great Britain is distinctly against it, and it is

being not only subordinated, but rejected by more and more people in American cities.

Granted, however, that fares should not be arbitrary in amount, should not be swelled either by excessive profits, or by "compensation," and that they should simply be sufficient to cover the cost of service—using that term cost, broadly, as indicated—the question still remains as to precisely how that amount of revenue in fares would best be collected—whether a uniform or a graded fare should prevail.

It is frequently said in common parlance that we have a "uniform nickel fare" in American cities, but the statement is inaccurate and misleading. The nickel fare is by no means universal, nor are fares uniform in the sense of being the same for every journey within the city, which would seem to be the proper sense of that term.

They are simply uniform on any given line or system, irrespective of its extent. In Toledo the fares range from three cents to five cents; in Detroit, Toronto and Montreal, from three and one-eighth cents to five cents; in Milwaukee, from four and one-sixth cents to five cents. In Washington and Indianapolis they are four and one-sixth cents by tickets and five cents cash. In Boston and Philadelphia there are certain eight cent checks with stop-over and transfer rights. In New York there is an eight-cent ticket covering a transfer between certain surface lines and the elevated roads. One short surface system in Chicago maintains a two-cent route.

Furthermore, in Detroit—and practically the same is true of Buffalo, St. Louis, Brooklyn and approximately of Manhattan Island—a nickel fare gives you any number of transfers needful on all surface lines of the city to enable you to make any given journey within its limits. In Toledo and Washington, smaller cities, and in Cleveland and Chicago, larger cities, there are two or more surface systems, and a nickel fare will not secure a transfer between them. In Boston, when the elevated road has been finished, a nickel fare will, for most journeys in the city, give a passenger the optional use of approximately all the facilities of the city on the three levels. In short, fares as they obtain to-day are to a considerable extent a relic of the separatist or competi-

tive theory under which car lines sprung up, and as a whole they can scarcely be said to be arranged on a basis either of logic or of fairness.

There are but two consistent theories to be applied to the question of fares. One would give "'one city one fare" and the other would give a system of fares, graded by zones or in some other way according to distance. In any case the service should be unified under a single management; the more productive mileage should help out the less productive, and fares should be adjusted to the finances of the lines as an entirety. The rates should then either be uniform for any journey within the city limits, irrespective of the number of lines employed in making it, or they should be graded according to distance, either on a zone or a mileage system.

A strict zone system presupposes that people always travel on radii of the city, which, of course, is not true. In British cities fares usually vary according to distance, and the conductor, when he collects, gives the passenger a check indicating the stages corresponding to his journey. With a reasonable number of passengers per car, it would be as practicable for a conductor to manage such a system in an American as it is in a British city.

It is to be noticed, however, that a uniform fare obtains in the new London underground—the "tupenny tube"—and is likewise to prevail in the extensive underground system now being constructed in Paris, and in the combined underground and elevated system which is being carried out in Berlin. On the other hand, Glasgow and several other British cities have, during the last half dozen years, been carrying the graded system to still further refinements by introducing the half-penny (one cent) stages. There seems, therefore, to be a development in both directions—toward a further extension of a uniform fare in some cases, and toward a further refinement of the graded principle in other cases.

Of course, the ultimate question as between the two principles is as to the comparative effect of each upon business development and social conditions.

The uniform fare unquestionably tends to scatter population, which is a desirable thing, but the area of public improvements is thereby enlarged, their character is correspondingly reduced, and

ugly vacant lots are multiplied. It becomes thus an open question whether the principle of "intensive cultivation" has not been unduly sacrificed in some of our cities through the operation of a uniform fare—as that sort of fare is now realized in those cities.

A study of the fare question would show that to a considerable extent we already have in a rough way, especially in our larger cities and with many inconsistencies, a graded system of fares. This was amply proved for Boston by an official inquiry made near the beginning of the decade, and it would be very much in point for others cities to round up the local facts on this subject. It is, of course, impossible otherwise to take intelligent action concerning it.

It is only intended above to point out some of the general considerations affecting the question of fares, to insist that in any case these should simply cover the reasonable cost of a unified service, and to suggest the propriety of expert inquiry into the subject in each city.

3. *Continuing control.*

The chief question of all in regard to street railway policy is as to how the public may insure proper accommodations and rates, not only for to-day, but likewise on the morrow; how it may be in a position to require, in a direct and expeditious manner, progressive and fair management as time goes on; how it may obtain without litigation or annoying delays, for example, the abatement of crowding, the use of grooved or otherwise improved rails, the application of new methods of propulsion, the adoption of fenders and winter vestibules, the substitution of through routes for central terminals, the proper disposition of snow, the establishment of reasonable transfers, the maintenance of just fares, the promotion of progressive co-ordination between different sorts of facilities, above all the adoption of reasonable changes demanded by new and unforeseen developments, and how it may attain that knowledge of the financial results of operation which will make it possible to judge what are reasonable and fair demands in respect to service and fares. In short, how shall the public be in a position at all times to exercise that control over the situation which will insure the reasonable observance of its rights

and interests? Dr. Washington Gladden yesterday advocated municipalization as the natural, imperative and only adequate remedy. British cities are putting this principle into practice with great rapidity and confidence. It has also been applied in a limited way in this country, especially in the case of the Boston subway and the New York underground project. General sentiment, too, is certainly drifting in that direction in American cities. In cases, however, where that sentiment will not yet justify such a step concerning street railways, public policy on the basis of granting a franchise to a private company requires to be defined. It seems best to consider that case here. How then shall the public, in granting such a franchise, insure requisite control?

There is but one and that a perfectly obvious answer to this question, viz: Such control should never be surrendered beyond recall for any period of time. The public authorities—usually the City Council—possess absolute power over the uses of the streets, unless they voluntarily divest themselves thereof for a longer or shorter period, by granting a franchise with a guaranteed duration.

It has been the practice in a few of our cities to grant street railway franchises in perpetuity, or for 99 or 999 years. In most cases, however, they are granted for periods of from twenty to fifty years. Yet, in some instances, the grantees are practically tenants at will.

The philosophy of time grants was carefully discussed in the report issued in 1898 by the committee of the Massachusetts Legislature, of which committee, Mr. Charles Francis Adams was chairman, and the result of that discussion was the distinct disapproval of the principle of such grants, and the recommendation, instead, of the then existing plan of that state, under which grants contained no guarantee of duration, but were revocable by public authority at any time.

Street railway franchises in Washington are on a somewhat similar basis. They are granted by Congress, and in all cases contain a clause specifically stating that "this charter is at all times subject to alteration, amendment or repeal." In other words, Congress reserves the power, not only to prescribe any terms whatever as conditions precedent for the continuance of the

business by the grantee companies, but it may even take away their right to prosecute the business. Congress is in complete control of the situation, and can therefore fulfil its natural duties over the streets in behalf of the public, entirely untrammeled.

It is also interesting to note that it is precisely in the two cities—Boston and Washington—in neither of which is there any guaranty of definite duration for street railway franchises—that the most creditable development anywhere to be found in respect to facilities and their higher organization has taken place.

It is in Boston that facilities on three levels—underground, surface and elevated—and comprising, with a fractional exception, the entire rapid transit equipment of the city aside from steam roads, are soon to be in operation in a single co-ordinated system, the first instance of the sort in the world. Furthermore it is in Washington, a city of about 200,000 people, without manufacturing or commerce, but with its peculiar exodus in summer and its pleasant walks and fine pavement inviting at all times to pedestrianism and cycling, it is in this minor city, destitute of emphasized street railway travel, that six tickets for a quarter have prevailed for fifteen years or more, that the conditions of employes are above the average, and that the underground electric system, which was there put into operation first of all on this continent, has now been extended over the entire operated mileage of the city. New York, on the other hand, where franchises run for ninety-nine years, or in perpetuity, and where the profits from street railway traffic are enormous, began to adopt that system about a year after its success had been demonstrated in Washington, and something like eighty or ninety miles of track are still operated by horse power in Manhattan Island.

The demonstration is one of fact. Capital *is* forthcoming for investment under such franchises as those indicated, and it is in those cities where public authorities reserve the highest degree of control and the amplest powers to prevent abuses of however unforeseen a character, that the best service and fares are obtained.

The weak spot in this "tenancy at will," however, is its lack of any provision as to what shall become of the plant in case of revocation of the grant. It would seem wholly reasonable and logical that the corporation should in that case be compensated for its

plant, such compensation covering the cost of duplication, less depreciation—depreciation being understood to include not only wear and tear but also decrease in present and prospective availability of the plant, owing to invention or other cause. This lack both in Massachusetts and in Washington of any provision on this subject is evidently based upon the idea that the government can do no wrong, and that it will always deal equitably in case of revocation. Indeed, as a matter of fact, street railway investments are as secure and sound in Washington and Boston as in any other city of the country, and all experience goes to show that, unless corrupted by private interests, public authorities are never disposed to use an advantage over a corporation inequitably.

Still the omission indicated, gives a certain air of unreality to the reservation of the power of revocation, as though the subject had not, in fact, been completely faced out, or as though this right had been reserved as a mere formality, without the expectation that its exercise would ever raise the question as to an equitable claim for the plant.

It is accordingly well worth while in this connection to note the franchise provisions respecting Porto Rico, which, after the passage of the Civil Government Bill, were added as an amendment thereto, and which stand as the most advanced and specific official declaration thus far made in this country of a franchise policy.

That amendment prescribes: "That all franchises, privileges and concessions . . . shall provide that the same shall be subject to amendment, alteration or repeal; shall forbid the issue of stock or bonds, except in exchange for actual cash or property at a fair valuation, equal in amount to the par value of the stock or bonds issued; shall forbid the declaring of stock and bond dividends; and in the case of public service corporations, shall provide for the effective regulation of the charges thereof, and for the purchase and taking by the public authorities of their property at a fair and reasonable valuation."

In addition to the provision for "amendment, alteration or repeal," and for "regulation of the charges," each franchise is thus to provide specifically for "purchase by the public authori-

ties of" the property involved at a "reasonable valuation." In form this "purchase" provision appears to have been conceived as an option to be exercised not only at the will, but solely in the interest of the public. It is perhaps reasonable to suppose, however, that it was also intended thus to indicate the condition on which the power of revocation or repeal might be exercised under the "amendment or repeal" clause.

The most approved street railway policy would accordingly seem to require that corporations should be given no absolute guarantee of any definite duration of the rights granted, but should be left to rely instead upon the merits of their service as their means of insuring continuance. Such policy would seem to demand that the public should reserve to itself complete control over all the terms of the grant, including charges, and likewise the right to acquire the plant at any time at an appraised valuation, based upon the cost of duplication, less depreciation, the latter being understood to include loss of present or prospective availability in the plant through invention or otherwise; and on the other hand that the company itself should be protected by being entitled to such compensation in the event of its tenure being terminated by the public.

These terms would shut the doors against abuses by either party, and would, if we are to judge by existing facts, stimulate instead of retard rapid development.

*Conclusion and summary.*

I. Through co-ordination of facilities, further displacement of downtown terminals by metropolitan routes and by the supply of an adequate number of cars, the speed and convenience of local rapid transit could and should be materially enhanced.

II. The fares charged should neither be swelled by "compensation" nor by profits above those sufficient to provoke investment. They should be adjusted to the cost of operating, not individual lines, but all the facilities of a given city taken as an entirety and should be arranged either on the principle of "one city, one fare," or on the graded principle applied through a zone or a mileage rate. (The question of policy as between these two principles demands study).

III. To insure the public in the future—in the absence of

municipalization—respecting these and other unforeseen matters, franchise grants should not run for any definite period, should specifically reserve to the granting power the right, not only of absolute regulation of service and charges, but of revocation at any time, and should insure the grantee company against injury by providing for compensation to that company for the plant in case of revocation, such compensation to be based upon the cost of duplication, less depreciation, depreciation including loss of availability in the plant from invention or any other cause.

# THE GOVERNMENT OF THE CITY OF GLASGOW.

REV. ALBERT LAZENBY, CHICAGO,
Formerly of Glasgow.

It is one of the disadvantages of bearing a good name that you are expected to live up to it. Thanks to Dr. Albert Shaw, the municipality of Glasgow has obtained such a good reputation, especially in this country, that municipal reformers have come to look upon it as the El Dorado of city government. But human nature is human nature in Scotland as elsewhere, and the "best laid schemes o' mice and men gang aft astray." You might have the most perfect plan, the most complete machine of city government, but without angels it wouldn't work, and even with angels it might fail to attain the end desired. I am not saying this in disparagement of Glasgow's municipality. I am only warning you not to expect too much.

Of course it must be remembered that Glasgow was not built in a day. It is the result of a gradual evolution reaching back to the twelfth century. The simple statement of the historian is this: "Glasgow was created a Burgh of Barony in the reign of King William the Lion; a Burgh of Regality in 1450; a Royal Burgh in 1636; the free election of magistrates was granted in 1690; the Municipal Reform Act was passed in 1833, and Glasgow became a county of the city in 1893." That is a brief statement but it covers a great deal. It represents hard-fought battles and hard-won liberties. Each stage marks an advance—a growth towards what it is to-day—a self-governing, democratic city.

Glasgow has been favored by nature, situated as it is on the banks of a river that had easy access to the sea. That river has been deepened and broadened until it is capable of bearing some of the largest vessels afloat. Within an area of twenty to twenty-

five miles of the city all the leading coal and iron fields of Scotland are centred. Half the population of the Scotch nation is located in that same area, and nearly two-thirds of that nation's industry is carried on there—not only the coal and iron, the engineering and shipbuilding, but the weaving and all kinds of manufacturing. These have been important factors in the development of the city.

And along with this industrial development has grown up a corporate sentiment, a kind of civic patriotism which has had a great deal to do with its progress. The Scotch are proverbially clanny, and all through the city's struggles there has been that nameless something which is more than clannishness, and which expresses itself in pride of city. Glasgow prides itself on being the second city of the British Empire, and that pride is not an empty boast. It stands for something, and has stood for something, particularly in later years. Sometimes this pride has blinded its citizens to real weaknesses, but on the whole it has worked for their good. Civic patriotism is an invaluable element in a city's growth.

I have said that Glasgow is a self-governing city—and that has been so since the Municipal Reform Bill of 1833. It is true it is subject to Imperial Parliament. All her constitution and by-laws must receive the assent of Parliament. It cannot borrow without its approval. In your conception of a democracy this may seem a limitation of self-government. In one sense it is, but it is a limitation that makes for strength. Parliament with its combined wisdom drawn from all parts of the kingdom, is able to act as a check on any attempt at meddling or peddling legislation. It seldom interferes with any bill based on common sense and sound judgment.

Dr. Shaw, in his *Municipal Government of Great Britain*, has given a very exhaustive statement of the constitution of the council. For the sake of point, I may mention here: The council is elected by the ratepayers. The municipal voting list consists of all those householders who have lived within the limits of the city a year, have paid their rates and have not received relief from the parochial authorities. Females were admitted to the franchise in 1881, and since then have exercised

their vote in an increasing number. Lodgers are also admitted who occupy lodgings of not less than $50 rent a year, but they have to appear and make good their claim before the revising barrister every year. This explains the fewness of the number on the list. In 1898-99 there were 108,170 male voters, 22,230 females, and 6,017 lodgers, making a total of 136,417 out of a population of 747,000. The franchise, then is actually in the hands of the ratepayers. There is a certain equity in this. The ratepayers are the people who find the money for the upkeep of the city, and it is a favorite principle in British politics that he who finds the money should have the spending of it. It also has the effect of excluding that class who have no interests at stake, and yet under a manhood suffrage have the power of swamping the ballot box. All our voters are more or less responsible citizens.

The city is divided into twenty-five wards, each with three members on the council. These are elected for three years—one retiring each year. There are some seventy-five councillors, who together with the provost, and two *ex-officio* members, dean of guild and deacon convener of trades'-guild bring the number up to seventy-nine. And here it is worthy to remark that pre-eminently among the British cities Glasgow has succeeded in excluding politics from its municipal elections. The question, "Is a man a Liberal or a Tory, a Gladstonian or a Unionist?" is never asked. There are both Liberals and Conservatives in the council, just as there are, I take it, both Democrats and Republicans as members of this League. But that is not made a test question, nor in any way a qualification. In this respect Glasgow is a striking contrast to the English cities, and I think favorably so. In late years there has been an attempt to elect Socialists—qua-Socialists, and Trades-Unionism has had its representatives. But that has not gone very far. Few Socialists, as Socialists, have been elected to the council. One difficulty has been—the office carries with it no emolument. The duties are all voluntary. Even to the lord provost's chair there is attached no salary. A certain sum is allowed for expenses, but the office is purely honorary. An attempt has been made to endow it with a salary—it being thought that would give the council a wider choice for a lord provost. As

it is, the choice is necessarily limited to men of large means, for the position is an expensive one. But so far the attempt has not been successful. This remains one of the unpaid offices of the city.

In recent years there has been quite a movement in the English cities in the direction of placing one of the titled aristocracy in the chair of mayor or provost. The Duke of Norfolk has been mayor of Sheffield; Earl of Derby, lord mayor of Liverpool; the Marquis of Bule, provost of Rothesay. But as yet Glasgow has not found a gartered duke or titled earl to add grace to its council. It has been limited to its plain citizens. And in its choice it has been happy. It has had men who have been successful in their own business, and proved themselves valuable citizens. Only once during the whole fifteen years I have known the city, has the council placed a man in the chair who has fulfilled the duties in a perfunctory kind of way. He admittedly took the office as a step to a knighthood or a baronetcy. That is one of the great attractions of the position: it usually leads to a title. In a large and important city like Glasgow, something is sure to happen during a man's term of office (three years); an exhibition, or a royal visit, or a royal wedding, or some occasion for an expression of patriotism or civic generosity such as a disaster like that of Galveston—something is sure to happen for honoring the city, and that honor usually takes the form of a "Sir" for its lord provost. Sometimes one is added for its town clerk and city chamberlain.

The lord provost, as I have said, is selected from its citizens, and always from those elected to the council. He is elected by the council and usually from the men who have served the council in various capacities. He has no power of veto like the American mayor. He does not select committees as your mayor does. He is not the autocrat, and he cannot become the autocrat we sometimes see here. He simply acts as presiding officer over the deliberations of the council. He has two votes: one as a councillor, which he must exercise at the same time the others give theirs, and the other only to be used as a casting vote in case of an equal vote.

Shall I be charged with British insularity if I express my prefer-

ence for our conception of the position of mayor or provost? The centre of gravity with us is in the council, and not in the provost or mayor, as here. And a council of seventy to eighty members is more likely to be a true reflection of popular opinion than one man. At any rate we don't give that one man the power to annul all that those seventy or eighty do. It seems to me a dangerous power to place in the hands of one man.

All the power with us is thus vested in the hands of the council. They appoint the bailies (magistrates) and committees for the different departments. They also have the appointment of the permanent officials.

And here let me say, it has been the good fortune of the city of Glasgow to be served by a staff of experts in their several spheres, second to none in the kingdom. These are the paid servants of the city. They have no seat in the council, and are only called in to report and advise. They are not changed with every change of council. Their appointment is usually for life, unless they fail in their duty, or choose to resign. With these men is left the task of carrying out the instructions of the council and it has had no little to do with the success of Glasgow as a municipality that it has been served by some of the very ablest men. The council has had the wisdom to offer a good salary for good services, and the salaries that have been offered have always commanded the best service. As a rule the appointments have been without fear or favor.

Into the details of the work of this council it is not possible for me to enter. They have been given with a fullness by Dr. Shaw, which leaves very little to say. I must refer you to what he has written. It comprises all that is involved in the government of a large city—and more than what seems to be included in the American conception of city government. 'Tis true you include things in municipal government which are not included with us. For instance, education is not a department of the city's work. The city council in no way touches it. We have a separate school board elected directly by the people, with power to levy taxes entirely apart from the corporation. Poor relief belongs also to a separate body, and the Clyde Navigation Trust, contrary to the impression of Dr. Shaw, belongs to and is managed

by a board of its own. It has a representative of the corporation sitting on its board, and the guarantee of the city rates is behind its bonds. Otherwise, it is distinct. It is under separate management, and has separate funds.

All the rest is within the scope of the council. Our conception of city government is larger than yours. It comprises the police, cleaning and lighting the city, regulating the construction of buildings, making and maintaining of streets and bridges. It supplies the city with water, with gas, with electric light. It has its parks, its museums, its art galleries, its library, its people's palace. It is the owner of markets and slaughter-houses, public baths and wash-houses, where poor women can take their clothes, and wash and laundry them at a nominal cost. It possesses the tramways, and has recently instituted a telephone exchange at lower rates than those of the existing telephone company, which, formerly had the monopoly. It owns a number of model lodging houses for men and women, and has founded a family home for widows and widowers with children. It is the proprietor of very good workingmen's dwellings, and has some excellently equipped fever hospitals. The ordinary hospitals are voluntary institutions, supported by voluntary contributions. In times of distress it organizes relief work for the unemployed. It provides organ recitals and Saturday afternoon concerts in the winter in its public halls at a very small charge, as well as free lectures, and in the summer, bands for its public parks. It takes under its jurisdiction the regulation of the drink traffic and endeavors to keep the city's streets clean of that vice which does so much to defile.

Here is a pretty considerable range for a city government, and the machine that can accomplish all this work must be fairly complete. It includes things which some would say ought not to be included. They think it might interfere with private enterprise and private trade. But anyone cognizant with Glasgow knows that there is no lack of private enterprise, and its citizens are busy when other cities are crying out for trade. A fourteen years' residence in Glasgow warrants me in saying that the work is on the whole well done.

One thing I do appreciate about the policy that has dictated

these schemes: It is an honest attempt to look after the poorer and weaker portion of the citizens. Glasgow has done more for its working man than perhaps any other city, and I am sufficient of a Socialist to think that the strong ought to bear the burdens of the weak, and what a man cannot do for himself, and that is of primary importance for his existence, that should the city do for him. That is a principle capable of indefinite application.

Of course there is a species of socialism about this, and Socialist leaders and newspapers are in the habit of advancing Glasgow as an illustration of what can be done. But while that is so, the individuals who make up the council, and the men who have shaped its policy this last twenty years, are the least socialistic of any men I know. If you were to put the question to them they would repudiate socialism. Their policy has been shaped by necessity. Fortunately they have been alive to the necessity. Take the matter of workingmen's dwellings and the model lodging houses. It is difficult for you who live in cities spread over a large area, to realize the condition of some of the English and Scotch cities in the matter of overcrowding, though I can see a tendency to overcrowding in the cities of this country, which if not checked or prevented will produce conditions as bad as those in our British cities. Glasgow sinned in this respect more, perhaps, than any city. Carlyle in his *Past and Present*, called attention to this. He said that in the "City of Glasgow above forty-one families out of every hundred live in houses having only one room." That was nearly sixty-three years ago. Thirty years ago there was some improvement, but the evil was still very great. Twenty years ago, 25 per cent of the population lived in houses of one room and 45 per cent in houses of only two rooms. Imagine this—70 per cent of the population living in houses of one or two rooms! Thousands of these one-roomed houses had as many as five, six and seven inmates, while hundreds of them were inhabited by from eight to thirteen. And all the functions of the household—eating, sleeping, cooking, washing, being born, dying—all this going on in that one room. It was an absolute necessity that something should be done. No city could afford to leave such a physical and moral plague-spot in its very midst. Nor was private enterprise or Christian

charity equal to dealing with it. Private enterprise fattened on it, and all Christian charity could do was but as a plaster to an ever-festering sore. Nothing short of action on the part of the city council could deal with it, and to its honor be it said, it awakened to its duty in this respect. It opened the model lodging houses and family home which I have named. It sought powers from Parliament to pull down many of these rookeries and put up decent dwellings in their place, and though it has not yet succeeded in eradicating the evil, it has considerably lessened it. Remember it has to deal with ingrained habits of a people. And there are some people who will insist on living as pigs. Give them the choice of a palace and they will choose a pig-stye.

But I hasten to a practical question. I anticipate you will ask: How about the cost of these things; what about the city's finance? There are some people who imagine that Glasgow is a city without rates. But commonsense, practical people know better. They know that all the work I have described could not be done without money, and that large sums of money. The sources of Glasgow's income are various. There is what is called the "Common Good"—a fund partly made up of endowments and the surpluses that are left from year to year, together with the municipal assessment of taxes. To this is added the contribution from the Imperial Exchequer—the city's portion, I think, of the nation's death duties. And in addition to all these there is what is made out of the water, gas, electric lighting, tramways, markets and rents of the city's properties. As regards the assessment the principle of taxation is different from what it is in this country. The taxes are assessed on the rents and not on a haphazard valuation. In the English cities the rates are only levied on a portion of the rental. A house that is rented, say for $500, is rated at that full $500. This does not leave room for any manipulation or for any dodging of the assessor. But there is what is called a "differential rating" by which only one-half of the police and sanitary rates is levied on houses of less than $50 a year rental. This graduated scale is of long standing. The reduction benefits a large section of the community—fully more than one-half of those who pay rates. It throws the burden of taxation on the shoulders where it can best be borne, and there

never has been any complaint on the part of those charged with the full rate that they are bearing a larger share of the burden than they should. The fact speaks well for the wealthier section of the community.

To those of you who are interested in figures, it may be of interest to know: the average rates for municipal purposes and poor's relief and school board is about $1 in every $5 of rent. This may mean nothing to you, but let me put it in another way: the average rate per head of the population levied for all the above purposes is about $4.50 per year. It will bring it more directly home to you if I put it in comparison with the contributions for municipal purposes in the American cities as revealed in the last census—and the municipal purposes here include education. Take the following cities:

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| Glasgow (including education, etc.) | $4 50 |
| Chicago | 10 80 |
| Boston | 40 00 |
| Philadelphia | 15 00 |
| Baltimore | 14 00 |
| Pittsburg | 21 00 |
| Milwaukee | 9 00 |

Even allowing for the difference in the value of money, the advantage is greatly on the side of Glasgow. And how much more is done! One thing we can be sure of—the money finds its way to the purpose for which it is raised, and the work it professes to do is done. The division of accounts is not a mere matter of bookkeeping. The law makes it imperative that the money shall be used for the purpose specified. There is no robbing of Peter to pay Paul.

I cannot stay to give you an analysis of the city's finance. In all its ventures it has been eminently successful. The water department, the gas and electric lighting departments, after paying the usual interest on money borrowed, and providing for a sinking fund, are carried on at a profit. Gas is supplied at fifty-two cents per one thousand feet. It is not the object to make larger profits. The moment the profit is large, the price is reduced.

The markets also yield a good surplus. Here is an interesting fact deserving to be noted. Some three or four years ago there was an organized opposition on the part of cattle salesmen and butchers' associations to the co-operative societies. An attempt was made to boycott co-operators, and the cattle salesmen refused to accept their bids in the market. An appeal was made to the city council and its legal adviser. He advised that it was an open market. The cattle salesmen persisted. The matter went before the courts. The courts upheld the council and its adviser. The markets were declared open and no one using them could be allowed to discriminate between one buyer and another at a public sale, provided their bonafides were satisfactory. That was a victory for open dealing, not possible in a private market.

All those experiments under the City Improvement Act, the workingmen's dwellings yielded last year a balance of $118,197. The average rent of the one-roomed houses is $24, two rooms, $58 and three rooms $83 a year. The lodging houses brought in a profit of $27,000. There were 877,760 nightly lodgers during the year who paid from seven to twelve cents a night. The family home and the wash houses are the only things that didn't pay, probably because they are not yet sufficiently established. The entire loss, however, does not amount to $4,000.

But the tramway scheme deserves a little fuller notice. It is a matter of notoriety that Glasgow was the first municipality in Great Britain to take over the tramway service. And if success can justify a venture, and imitation warrant the example, then Glasgow has been more than justified, and her example is being followed by other cities. She has a car service second to none in Great Britain, and almost equal to anything I have seen in this country. It is now six years since she acquired absolute possession. And the capital expended during the first five years was $4,800,000. Against that she has a sinking fund of $1,500,000, leaving a balance of nearly $3,500,000. As an asset she has a property which is valued at $4,000,000. In 1898-99 her revenue from the tramways was $2,196,120 and her expenditure $1,927,257. This left a balance of $268,863, which was placed to the reserve fund. The total number of passengers carried during that time was 118,775,668, or nearly one hundred and nineteen

million. The larger portion of those would be the one and two cent fares, for they have from one to six cent fares. That itself is a great boon—to have a smart and cheap service of cars to all parts of the city and suburbs. I ought to say that in addition to these, there are three underground railways in the city, and cheap boats running up and down the Clyde.

Up to recently they were dependent upon upon horse-power for their traction, but three or four years ago the council decided to try electricity on the overhead wire system. The result was encouraging. The percentage of working expenses to receipts was 45.85 as compared with 73.89 for horse-traction. The corporation thereupon decided to adopt electricity throughout the entire system. They are just engaged in making the change.

One thing fails to be noted: Corporations are not as a rule considered the best task-masters, especially to their lower grade employes. Here is an exception. Increases of wages have been given from time to time without any request on the part of the men. In 1897 an increase was given amounting to $26,500. In 1898 another benefit was conferred to the effect that all who, at the close of each year, had been twelve months continuously in the service, should have five days' holiday with pay. This concession meant an annual increase to the wage bill of $12,500. In 1899 another increase, equivalent to an expenditure of $30,000 per annum, was unanimously granted. These facts speak for themselves.

But my time is more than exhausted. I have endeavored to give you some conception of the municipal government of Glasgow, of the principles on which it is based and the work it seeks to do. Whether it is worthy of the high praise which has been lavished on it, it is for you to say. Whether its form would be applicable to the cities of this country it is not possible for me to say. I am not sufficiently familiar with the conditions here as to venture an opinion.

In some things Glasgow is still lacking. Will it surprise you to hear that until four months ago its council had refused to adopt the Free Libraries Act? It had a public library, but not a free-lending library. Whenever the matter has been submitted to the electorate, it had always been rejected—usually, it is said, by

means of the female vote. The widows and spinsters among the ratepayers were credited with voting against the proposal. The town council, however, has at last decided to adopt the act.

So too in the matter of Sunday opening of the museums, etc. These places have been kept stubbornly closed on the only day on which tens of thousands of her citizens can make use of them. This is short-sighted policy, unworthy of a pioneer city.

Then, too, in her drink traffic—much waits to be done. The corporation has control of the licensing, and can limit or increase the number of drink shops at will. One good thing—the number is not on the increase. Yet it is still large. In 1898-99 there were 19 hotels, 1,414 public houses and 309 grocers selling drink but not for consumption on the premises—in all 1,742 places where you could get drink. During the year there were 20,000 arrests for drunkenness and infringements of the liquor laws—a sufficiently large indictment of the present condition of things; and the invariable testimony of visitors to Glasgow is: "Well, I saw more drunken people in her streets, especially women, than of any city I visited." I am sorry to confess that that would probably be true. The council have recently established a home for inebriates, but something more drastic needs to be done, either by the corporation or by some other means.

And in that other matter—the Regulation of Vice. I am familiar with the streets of London, of Manchester, of Liverpool, of Birmingham, of Sheffield, of Leeds. I have seen something of the streets of Boston, New York and Chicago, and I can truthfully say that Glasgow's streets are cleaner in this respect than the streets of any city I know. There is less shameless soliciting either on the part of men or women. If driving it off the streets is an advantage, then Glasgow has the advantage. But this is not to say the evil does not exist. One thing I have sometimes feared—it may be driven out of sight, underground, or into the suburbs—that it exists we have too ample evidence.

I do not mention this with a view of suggesting that the municipality can do anything, but simply to show you that my warning at the beginning should not be ignored. We must not expect too much from external means. Machinery can do much, but machinery cannot do everything. There is still room for all the

moral, social, intellectual, spiritual forces that can be brought to bear on life in our large cities. There is work for the church as well as for the council, for philanthropy as well as for civic patriotism. We cannot too often remember that social reform is powerless unless accompanied by a moral reformation—by changes in the habits and thoughts of the well-to-do and the disinherited, and the leavening of the whole inner and outer by the spirit of purity and integrity. And this in the nature of things is gradual. You can fill the earth with summer flowers in weeks and days, but they fade almost ere they bloom, and the desolation of winter comes again and sweeps them all away. But trees are not grown in a night, and an oak will stand for thrice a hundred years. Make your cities a paradise by all means, but then fill them with true men and true women. Do, do, do whatever you can. But remember that society is made up of individuals, and society can only be made perfect by making the individuals perfect. Rectify the wrong conditions by all means; but then rectify the life, the heart of each man and each woman. Without this, you might make your city a paradise, but before this generation passed away it would be a paradise lost.

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*Note:* The statistics in the foregoing article are taken from the 1898-9 reports. The 1899-1900 reports were not at hand.

# PRIMARY ELECTION LAWS.

AMOS PARKER WILDER, PH. D.,
Editor *Wisconsin State Journal*, Madison.

The adoption by the states of the Australian ballot beginning a dozen years ago is the greatest event in American public affairs since the Civil War. It has abated so many abuses that naturally those engaged in caucus reform have sought to enlist the secret voting feature. It now is, as a feature of primaries, in use in over a dozen states.

A proposition looking to nomination reform is a plank in the platform of the Republican party in Wisconsin this year, the subject receiving as much attention as any during the home campaign; and, while there is no mention of municipal elections as a feature of the proposed plan, the discussion has interested us in all that pertains to direct voting, the pros and cons of the delegate, the caucus and the convention; the questions of increased expense, qualifications to register, better candidates and how to get out citizens, not alone the professionals, that the former may have a hand in the selection as well as in the election of candidates.

It is not too much to say that the plan as outlined by Mr. La Follette (since elected governor) is more advanced than any scheme of nomination reform now being operated; it is not strange that especially in those states where caucus reform has already been attempted there should be great interest to know of this Wisconsin proposal. I quote the projector's words:

"We must abolish the caucus and convention by law, place the nomination of all candidates in the hands of the people, adopt the Australian ballot, and make all nominations by direct vote at a primary election. To be more explicit:

"By statutory enactment designate a day at least two months

prior to the general election upon which there shall be a primary election for the nomination for all candidates for office.

"Provide for this primary election an official ballot for each party in the form of the Australian ballot. Upon this ballot print only the names of such candidates for nomination as have filed nomination papers with the secretary of state at least six weeks before the primary election.

"Provide that no man shall be entitled to file a nomination paper with the secretary of state unless a given percentage of the voters of the district, county or state in which he is proposed as a candidate shall have certified upon his nomination papers, their desire that he become such candidate for the office designated, just as judges are called out as candidates under existing law in many states.

"Provide that when each voter enters the election booth on primary election day he shall find a committee of his party in charge of a separate ballot box, and the official primary election ballot upon which is printed the names of all candidates of his party for nomination.

"Provide that each voter may take the ballot of the party with which he affiliates, and in private, indicate thereon the names of the men who are his choice as the nominees of his party, and that he may then deposit that ballot in the ballot box of his party.

"Provide that the men upon the ballots of each party receiving the highest number of votes shall be the nominees of that party at the general election to follow.

"Provide for the selection of a State Central Committeeman from each assembly district to represent each party organization and promulgate the party platform; and for the election of a county committeeman from every voting precinct for each political party.

"Provide severe penalties for the violation of the law, prohibit electioneering in or about the election booth, and insure an honest count and return of the votes cast."

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Confining ourselves now to municipal elections, it must be conceded that the effort to eliminate partisan movements in

municipal elections—to encourage citizens to get together as citizens—does not progress as well as we could wish. Occasional tidal waves of outraged public sentiment find expression in splendid citizen movements, and here and there are communities that nominate and elect their city officials year after year on non-partisan lines.

But at the national conference on practical reform of primary elections (New York, January, 1898) the keynote of the speakers from large cities was regulated partisanship. President Oscar L. Straus voiced the sentiment of the conference when he said, "I understand that the object of the conference is not to break down parties, but to strengthen parties and to make them representative of the people instead of mere cliques. We recognize the necessity of parties in a free government and we want to make them what they were intended to be—the preservers of the rights and liberties of the people, instead of being the barrier between their rights and their liberties."

Secretary R. M. Easley of the same conference reasoned thus: "If the purification of the party primaries strengthens the regular parties by securing the nomination of honest and able men, certainly no independent voter could complain. Independent movements are organized, not for the sake of a movement, but for the purpose of securing good government. If party organizations secure good government, independent parties will naturally disappear."

Notwithstanding this reasoning, in view of the irrelevance of national issues to municipal elections and the single conviction and duty that animate all disinterested householders in local affairs, we must believe and hope that municipal elections of the future will be non-partisan. It is a grave question, therefore, whether any plan of voting for municipal officers should be encouraged, which accentuates party lines; which confronts its voter with party distinctions,—thus appealing to his traditional loyalty and prejudices. I am confident that, certainly in the smaller cities, the effort should be without compromise to insist on non-partisan campaigns. Whatever the plan, in large cities or small, certain it is that abundant opportunity must be afforded for independent action."

The so-called "Model Charter," to which the National Municipal League is committed, wisely lays down principles and does not attempt to dictate specific outlines of method to govern this all-important function of the nomination of city officials. It makes no mention of existing party organizations, but there is no intimation that parties may not continue their activity in local affairs. No door is closed to them. The theory of the provisions is that any group of citizens, say fifty, seeking to elect someone for mayor or alderman in whom they have confidence, is as much a party for municipal uses as a band of Republicans or Democrats acting as such; and this theory is sound.

The Municipal Corporation Act, approved and urged by this League, provides for nomination of city officers by petition. A given number of citizens by petition on at least thirty days' notice before election secure the listing of their candidate on the ballot, all candidates for the same office to be listed in alphabetical order. This provision discourages partyism, as compared with grouping names by party on the ballot and should be persistently preferred by all municipal reformers. The practice of grouping candidates by party even for state and national office is a concession that should be made only when necessary. To compel a voter to pick his candidates each from a list under the designation of office promotes independence in voting; is a blow at slate making and puts a premium on intelligence. Let the voter insufficiently educated to find his party nominees look to himself. We may feel sorry for him but his successors will strive for sufficient education to enable them to vote straight beyond the ability to make a wholesale "X."

It is gratifying to know that the plan of printing party nominations by party groups is breaking down through the cumbersomeness of the plan. This year the ticket in Pennsylvania will be a blanket indeed—at least eleven columns, each fully fifteen inches. The printing bill to each county—and there are sixty-seven of them in Pennsylvania—will be $2,000. Thomas V. Cooper, for eight years Republican state chairman, writes, "This can be greatly reduced by a simplified Australian ballot of a single column, with each party placed alphabetically, the party designation following the name, the offices grouped. This is the ideal

ticket," Mr. Cooper writes, "and any other is subject to great trickery, as Pennsylvanians have found to their sorrow."

The provision allowing a voter to take a "helper" into the booth with him, on the ground that the voter cannot see or read well, works badly. The "helper" is nine times out of ten a "heeler" responsible for the delivery of the vote. Another remarkable fraud, possible under the Australian ballot—showing the hopelessness of perfection of human device—is for the tricky helper to make a mistake in the ballot, or pretend to, ask for another ballot, and when this is voted to bring out the original. The next voter being supplied with this, he brings out another, this making an endless chain of ballots for those who want to buy votes and know that they are delivered.

The Model Charter also does well in providing that a council of any city may, with the consent of a majority of the qualified voters of the city, establish minority or proportional representation at elections to elect city officers. This safety-valve for minority interests, this plan of bringing into public service representatives of all classes and interests (one on which John Stuart Mill laid urgent stress, even conditioning the continuance of the state on its adoption) is wisely offered the citizens when they choose to resort to it.

Nominating reform is not a concrete achievement to be won at a single stroke like the Australian ballot. It is not even a well-defined principle universally applicable, like the merit system, whose adoption is gradually secured as the selfishness and prejudices of men are disarmed. Caucus reform is a propaganda of less defined character. The town meeting was a caucus beyond reproach and in small homogeneous communities continues an ideal exemplification of the democracy which has made our nation great. Local conditions differ so that it would be difficult to form a model system, certainly for the nomination of officers to serve in the larger fields. The precedents of Southern States to which some are turning with enthusiasm, must be taken with caution for the reason that in the South the participation of the black vote is a constant element absent in the North. A plan of direct voting for candidates, thus eliminating the delegate, caucus and convention is in hot debate in Wisconsin, as it is else-

where. The discussion of this plan and the full gathering of experience and conclusions in Kentucky, Massachusetts, Pennsylvania, New York, Ohio, California and other states is so full in the report of the National Election Primary League (Ralph M. Easley, Chicago, secretary), that it may be helpful to my Badger fellows to cite this reference. Mr. Easley writes me that a number of copies of this pamphlet are yet available.

Where parties and contingents are protected by law at their Primaries (as the best sentiment now approves), the embarrassing question presents itself as to who shall determine the qualifications of voters, the state or the party. The qualifications must be liberal lest an organization be built up doubly intrenchd by reason of statute protection.

While a "blanket" ballot in primary election seemingly makes for good citizenship, it must be conceded, I think, that it violates the right of political parties to exist. The blanket-ballot is predicted on distrust of the people. If a party has a right to exist, it has a right to protect its existence. To determine its membership is the very core of its perpetuity. If a man would vote with the Republicans or Democrats, he should be willing to stand out in the open and be counted with the party whose welfare is entrusted to him in the secrecy of the booth.

The second important problem is the method of bringing candidates to the front. Shall partisans in their primaries vote direct for their candidates or shall voters elect delegates, the latter to make the nominations, as it is claimed, deliberately and wisely.

The Pennsylvania law was mainly designed to prevent fraud and bribery, its adoption being optional with the counties and each party organization forming its own rules. Pennsylvania has had large experience in primary elections—more than any other state. Agitation there between 1868 and 1872 was stimulated by the offer of high prizes by the Union League of Philadelphia for essays on the subject of caucus reform. The various systems adopted by the counties are familiar to all students. A Pennsylvania authority concludes of them all. (And those who look for some compromise plan,—a limited use of delegates,—to meet the shortcomings of free voting, must regard this conclusion as important):

"In the early struggles looking to improved primary methods, Delaware County enjoyed the distinction of devising a system comprising all the virtues of delegate representation with the popular vote. The delegates are apportioned according to the number of voters, the latter instruct them for first and second choice as to all candidates, the returns must be sent with instruction certificates in advance to the chairman of the convention, and if a delegate violates his instructions, the chairman is directed in the presence of the whole convention to cast the vote in his place. Under all ordinary circumstances this system works well, and yet wealthy candidates and powerful rings have conspired to break its force, and they have succeeded in several instances, but they have never succeeded in abolishing the plan. Taken in conjunction with the state primary statute, which makes the primary rules of any party the law, it is the best of all the systems known. Bradford, Chester and many other counties have adopted it.

The higher need, however, is for a primary election law, enacted by the state, and suited to all parties—such law to be as rigid and binding as any other election law, and to be as close a copy of good general election laws as it is possible to make it."

The cities of the states must work out their own systems of registration and caucus or primary elections; but there are certain principles on which insistence may be laid. The goal sought is the nomination and election of candidates in all American cities wholly apart from national politics. Recognizing that this is a battle covering years, and to be won by degrees, I reiterate there should be insistence that, whatever plan prevails, the largest room must be left for independent voting. Make it easy to get citizen candidates into the field, and discourage the idea that there is stigma in voting for such. Where the party system continues, the test of fealty must not be independent action in local affairs.

The delegate and convention can well be discouraged in municipal elections, certainly in the smaller cities. As a rule,, delegates are unknown personally to the voter; they merely confuse him. Where principles are to be promulgated or results of thought sifted, delegates have a legitimate function—perhaps even in making up a state ticket—to do justice to all localities and

nationalities, to conserve the strength of party organization. In these functions delegates may be justified. But the voters of a ward can name their choice for alderman without the intermediary services of delegates. If not, the ward should be subdivided to make possible acquaintance. So, too, in its selection of mayor. It is true that whether there be a convention or not, a few leaders will put forward candidates for mayor. Under the freest voting, the boss will be active. But if in selecting a mayor "discretion" is really necessary, if interests must be consulted, the informal coteries of citizens who confer and urge names on the people whether selfishly or patriotically, are as safe to follow as the "deep," shrewd and perhaps tricky selection of candidates by delegates.

A strong argument can be and is made against the direct vote for officials whose area of constituency is so large that the people cannot know the man, especially for offices of less than supreme importance. It is said the best advertisers get the most votes. Knowing none of the candidates, the citizen, obeying an impulse of human nature, votes for the fellow whose picture he has most often seen in the newspapers. But for mayor of a city, even a large city, this stricture cannot apply. "I know in whom I have believed."

Delegates are the main shafts of political machines. It is a commonplace that a candidate, owing his nomination and election to a machine, cares little for the citizens, for he owes them nothing. It is a mighty argument for direct voting that once in office, an official's responsibility and hope of the future is not with a few party bosses, but with the people who will later rule on him in the secrecy of the voting booth. The primary election is a noble handmaid to contests where re-election of officials is sought. Rotation in office—that exasperating nuisance in our representative service—is menaced by putting the selection of nominees into the hands of the people. Bosses and delegates may promise a nomination to Tom Jones two years hence conditioned on Tom's services this year; but the citizens take one election at a time. Whatever the failings of the free vote, it must appeal to the voter in making him feel his vote counts for something.

Scranton recently operated a new plan of direct voting in dis-

guest at the corruption of delegates at nominating conventions, and at the first election under the new system a prominent citizen who had shown his sincerity by his work in securing honest juries, was nominated for commissioner of juries by a vote several times as great as that of all his opponents combined.

Under the Australian ballot there is little complaint that citizens do not attend elections. States which operate the primary elections report increased attendance. Citizens will be as much interested in selecting candidates as in electing officials, if the citizens feel they are really doing it. We have little sympathy with the abuse of citizens who do not attend caucuses when there are so many caucuses and so many delegates and so many conventions that citizens do not know what the perplexity means nor what their own part is in it all. The multiplicity of elective officials is a part of the curse. Many of these officials should be appointive.

It must be conceded that leadership is inevitable under any system. Under the purest form of citizen initiative, nomination by petition and a direct vote, a few will still get together and propose men for office. But if the plan is open to all and simple in operation, that high order of citizens who would share in public affairs if they could, without necessitating all-the-year service; who would enjoy a local campaign under a plan of nomination that obviously gives citizens a chance if they take the advantage of it—under such a system a group of business men or a university contingent could hold a meeting and appeal through the newspapers and make a house-to-house canvas for alderman with assurance of response from citizens who know what they are to do. It is true that then as now the corporate interests and professional politicians would get out a splendid vote and no doubt often carry the day. But competition could readily be started. At present the professionals are the only ones who understand the complex delegate system and how to operate it. Whether civic energy is present in the municipal electorate is scarcely known, so little opportunity has it had to show itself.

The delegate, caucus and convention system presents a succession of opportunities to thwart the will of the people. We

want a plan of local nomination that will at least give an opportunity to nominate the best men.

In our little Wisconsin cities a man aspires to be a candidate for mayor or, better, his friends urge it. What first must he do? He or his friends must select a set of delegates from each ward who can get more votes than any other sets of men. These delegates from each ward must be chosen with the nicest reference to conditions of religion, nationality, popularity. In one ward they must be men who will not offend the church vote; in another ward they must be sound on the issues of railroad crossing and sewerage; they must be solid with the street car company and not obnoxious to the citizens who propose a municipal gas plant; they must be of good moral character but not so good that the "stall" saloonists will mark them for defeat; in short, these scores of delegates are "up" for election, not at all the man who wants to be mayor. The delegates run to and fro seeking votes for themselves on the grounds of personal friendship, and to select such a set of winners requires on the part of leaders more tact, discrimination, cleverness, knowledge, familiarity with the annals of crime and currents of neighborhood gossip and prejudices than, transmuted into brains, would be required to conduct a university or operate a big life insurance company. It is a business—the business of politics.

Our reformed municipal primary must bring the voter's choice direct on his candidate and enable any group of business-men-citizens to propose a fitting man for office and get as many other citizens to vote for him as possible. If they fail to beat the professionals, then will be the time to lament civic apathy, for which no substitute under God's heaven can be cunningly contrived. Our citizens are not indifferent as to better municipal government —they are helpless. There is a distinction. Push a man under water and if he does not seek to come to the surface he is indifferent as to his life. But hold him under water, and he is helpless. Don't add to his plight by styling him indifferent.

A number of Southern States have direct voting primary election laws, but usually optional with parties as to whether to put their primaries under state supervision, and the supervision is not rigid, as contemplated by Mr. La Follette's plan.

South Carolina's direct voting plan dates from 1890. The plan is managed by party but protected by statute. It is reported as inexpensive; resulting in more candidates; an average of six to the office; attracts three-fourths of the voters to the polls. As to whether the plan shatters the "machine" this is disputed; and the country vote being heavy, the cities do not always control. The system is regarded as an improvement over the old system, especially in interesting the voters.

As to Georgia, the Democrats and Populist party in Georgia several years ago adopted the direct voting system of nominating candidates for office. The Republican party still adheres to the convention or mass meeting system. All Democratic candidates are selected at primary elections. Expenses are borne by the candidates, none being allowed to have their names on the ticket until their pro rata sum is paid. A practical observer of that state thus comments, "The plan works well and is satisfactory and results in the selection of better men for officers and does away with a large ring or boss rule and what is generally called here, 'snap work' in mass meetings or conventions."

Kentucky is the most advanced of Southern States as regards primary reform. That state's new constitution of 1890 provides for direct voting and the secret ballot at primary elections. Candidates' names must be listed fifteen days in advance to secure the printing of the name, but a name may be written in. The statute controls, but the qualifications of voters are prescribed by the party committee. Nomination is by petition, and Kentucky concedes that attendance at primaries has been markedly increased.

California has a law placing primary elections upon a plane of equal dignity with and protected by the safeguards of general elections. Party and individual power became so complete in that state that county committees went to the extreme of appointing delegations to conventions, even the state convention, thus abrogating even the pretext of a Republican form of government. Under the present law all parties must hold their primaries at the same time, at the same place, under the same officers, who are non-partisan, named by boards of election commissioners; and appointees are compelled to serve without pay, thus preventing large expenditure. Australian ballot is compulsory. Limita-

tion is put upon the amount of money a candidate may spend in seeking to elect delegates.

Pennsylvania has had large experience in primary elections—more than any other state. The systems adopted by the various counties differ, many of them providing for direct voting, though the Delaware County compromise plan is regarded by some as an improvement, meeting the objections made to the Crawford County plan. Under this plan the voters elect delegates to make nominations, but bind them for first and second choice at the convention.

Massachusetts, as in all improvement, has done some good pioneer work in the way of reforming primaries, legislation dating from 1888 to 1889. In 1890 the Republican organization of Boston city gave the direct vote a trial. No names not properly filed went on the ticket, publicity being given to them a week or more before the caucus—though new names could be written on the ticket. In 1891 the Australian ballot was added and in 1894 the legislature enacted the system, and has since strengthened it. The statutes apply only to parties which cast at least 3 per cent of the vote. The Boston act is mandatory as to that city and any party of any city or town may adopt it by petition of fifty partisans.

In St. Louis and Kansas City state laws control primary elections under the act of 1891. The first primary election law dates from 1875. It was optional as to its adoption.

The first primary election statute in Missouri is a short one and of general purport, making the perpetration of frauds at primary elections felonies and misdemeanors upon an equal plane with the provisions of the laws covering general elections. Since that time there have been three or four primary election laws adopted, which apply to the cities of St. Louis and Kansas City. These, however, have been rather vague in their provisions and not compulsory as to use. They have therefore been frequently disregarded and other systems substituted therfor. The city primary election laws are somewhat extensive, requiring a deposit on the part of the candidates of $50 for each ward. How much weight may be attached to the conclusion of the secretary of state of Missouri, I do not know. He write, "I regret to say that

I do not think the primary election laws of Missouri of much value."

As for Ohio, the Crawford County (Pennsylvania), plan has been in operation there in many counties for over fifteen years. Both parties adopted it as a substitute for the convention. For county use it has given varying satisfaction, some approving heartily. But ten years ago the Republicans of Cuyahoga County (Cleveland) adopted free voting. It is surprising that so little attention has been paid to the results of the system in Cleveland. It is really the only municipal test we have in this country, and it is disappointing to note the comments upon the plan, even among the civic reformers. Thos. L. Johnson, an officer of the Municipal Association of Cleveland, says, "I think the trial during these years has demonstrated that, in a county containing a city like Cleveland, the Crawford County plan is a positive failure in securing the nomination of acceptable candidates." His objections are that the contest for nomination, often bitter, leave the party weak; that notoriety is as effective as reputation in securing votes at a primary, an advertising campaign being very effective; that public interest is absorbed in some important office-contest, the rest of the ticket going by default; that the expanded campaign to enlist voters instead of delegates is expensive; that candidates are multiplied. H. A. Garfield, president of the Municipal Association of Cleveland, says, "Our experience with the so-called Crawford County plan certainly does not lead us to advocate it. Whether a system can be devised like it, but devoid of its faults, I am not prepared to say, but I am certain that the opinion entertained here by our best citizens is that we should go back to the convention plan."

One swallow does not make a summer. The shortcomings or even breaking down of legislative attempts of this sort should not be too rashly interpreted as complete failure. It is always well to remember the despair of abuses under old systems and the colossal proportions of the reform it is sought to effect. Some of the seeming strictures on free voting are really statements of conditions—the desperately degenerate times alike under any system of nomination. The Crawford County system, seemingly sound in theory, is a system of direct voting that superficially would seem

to leave all in the hands of the people. But Mr. Talcott Williams comments: "It is the universal opinion in this state (Pennsylvania), that the Crawford County system, as it is called, does more for a machine than any other questionable device. It saddles the cost of a general election on the party and all the difficulty of getting good men to neglect their business to go to the polls which bad men find it their profit to attend."

But then Mr. Williams adds, "My own personal impression, however, is that it is passing through exactly the change which our elections did, of which I think there is indubitable proof that they are growing purer, less corrupt and more directly representative of the average good sense of the community during all the three centuries during which men have been voting among the Englishry. This is not the general impression, but I believe that it is not, merely because men have not patiently studied the elections of the past." This thoughtful estimate of the plan of direct voting is important. It suggests the principle should not be abandoned merely because its results disappoint.

Josiah Quincy, of Boston, has faith in direct voting and refuses to discredit it because partial experiments report difficulties and disappointment. A direct vote in primaries, in the same place as the election, under the same equipment and non-partisan officers, a primary enjoying the same dignity and protection the state throws about an election—such direct voting is not the Crawford County plan and the American electorate has yet to see it tried.

The proposed Wisconsin plan is unique, so far as we know, in that it makes the whole state the area of operation, not merely counties; the system is statute law, the primary being as much an official state function as the election—elsewhere the free voting primary election being optional with the respective parties and their regulations sometimes endorsed and given the force of law—(which is quite a different matter); and the Australian ballot is a mandatory and essential feature of the primary under the Wisconsin plan.

# MUNICIPAL POLITICAL PARTIES.

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The prominent part played by the political party in municipal affairs makes its consideration essential in every scheme for the perfection of government. In democratic governments particularly, where the will of the majority is the sovereign power, the party is of primary importance, for it is the principal instrumentality through which the popular will is expressed. If the party system is imperfect, a minority may govern, thus, not only doing injustice but casting reproach upon democracy itself. The problem is: How may parties be so constituted as to permit the fullest, the freest and the most accurate expression of public opinion?

As applied to present municipal conditions in the United States, three solutions have been offered:

1. The abolition of all parties in municipal politics.

2. The creation of independent municipal parties, that is, parties presenting policies upon municipal questions *only.*

3. The adoption by the national parties of municipal programs in municipal matters, with the introduction of such changes as will cause parties to become the exponents of live and pertinent principles, rather than of dead and irrelevant issues or of personal affiliations.

Assuming that the present position of the party in municipal politics is not what it should be, that to some extent it obstructs efficient city government, that it prevents the complete expression of the popular will and that some change is imperative, let us proceed to discuss the first solution proposed.

The advocacy of the abolition of all parties in municipal politics is due primarily to the failure to analyze the function of the party carefully. What, then, is a political party? What are the conditions which call it into being? What are the elements which give it strength?

In the first place, parties everywhere exist because of the increased power of combined forces, or stated more plainly, because a body of men holding similar views and having similar purposes can accomplish more by united action than by individual effort. Organized bodies always accomplish much more than disorganized bodies. Armies are vastly superior to mobs. Thus, if a city were suddenly to spring to life, with citizens of the very highest ability and integrity, parties would immediately be formed. A coterie of persons would soon find that they agreed upon certain principles of government and that other persons disagreed with them. In order to carry out their program, they would immediately organize a political party. Why? Because they would realize the advantages of organization.

If this analysis is correct, one may expect that as the ability to act in harmony increases and is more generally utilized, parties will become more effective and more strongly intrenched. Such, indeed, has been the course of history. When the power to subordinate individual tastes and preferences and to exercise that mutual forbearance which makes society in its highest development most enjoyable, was weak and but slightly developed, the only form of political association was the clique or the clan. Even now Italy has not passed this stage of development. The Italian is incapable of political co-operation as manifested in the party idea, and instead of clinging to some principle or associating himself with others who believe in a common idea, he worships at the shrine of some patron.

As political ability has increased, parties have developed; and where it has reached its highest development, the party system is the most perfect and the most efficient. Thus, although the party system is not the result or cause of progressing civilization, it is infallibly connected with it and is almost invariably a true index of the stage which civilization has reached.

The increased power of combined action does not of itself

cause the formation of parties. There must be also differences of opinion. Otherwise the expression of the popular will proceeds without extended discussion and without the organization of the adherents of opposing ideas. This is so patent that it needs no explanation.

The party is differentiated from other political phenomena also by its purpose. It aims to secure recognition by the governmental authorities of the idea or ideas which it represents. This is usually brought about by the election of officials, and hence the nomination of candidates is a most important activity, even to the extent that an organization which does not make nominations is often denied the title of party. It is not, however, an essential element, for where direct legislation is in vogue there may be the same united action, the same organized effort to promulgate political ideas that exists where governmental action can be influenced only through the election of officials.

If such are the functions of parties, the suggestion that they be abolished is idle and almost frivolous, for the factors which have brought them into being are permanent, not temporary. Differences of opinion concerning municipal affairs will continue to exist, and so long as they do, adherents will labor to have governments conducted according to their ideas. It seems certain also that political capacity will not decrease, and that concerted action will be always more effective than individual effort. When a more effective method has been devised for the promulgation of ideas and the expression of the popular will, parties may cease to exist; but until then, the universal party-system is destined to persist, though modified undoubtedly in certain respects.

Indeed, it seems likely that it will become more firmly established for with the growth of large cities, formal co-operation in all lines becomes more and more necessary. In the small village, questions arise, such as license, an additional road tax, better school accommodation, etc., and immediately a difference of opinion is manifest. But no elaborate party machinery is necessary because the small number of voters permits full discussion, and because the opinion of each person is generally known. In the large city this is impossible. The problems are more complex. The voters are not so familiar with every detail.

There is no open forum like the corner grocery where all may meet and discuss affairs. Voters have so increased that the free and easy methods of the village not only are inadequate but positively pernicious, as they foster dishonest and corrupt methods. As a result of this vast difference between rural and urban conditions, parties in cities have developed an elaborate organization and have come to play a most prominent part in municipal politics. Recently their action has been increasingly regulated by law. This was due to the greatly increased need for more systematic action. The party was the most efficient instrument, and the effect of the changed conditions was most manifest in urban centres. If cities continue to grow in size and population, this demand will still further increase, and instead of growing weaker, the party idea will grow stronger.

This view is supported by actual conditions everywhere. Political parties are nowhere on the wane. Every city of the civilized world has political parties. Vienna's recent election was mainly a three-cornered fight between the Semites, the anti-Semites and the Socialists. Paris has her Nationalists, her Republicans and her Socialists. Berlin's most important parties are the Social Democrats and the various wings of *die Freisinnige*. London is ruled by either the Moderates or the Progressives. American cities, of course, confirm the statement. Even the small town which claims to select its officials upon a non-partisan basis possesses political organizations of some sort. Party lines are not always drawn with the same degree of distinctness, and all cities do not have equally vigorous parties. But the party idea is practically universal, and cities that seem to be exceptions to this rule are often merely passing through a transitional stage where party lines are being redrawn.

Assuming then, that parties of some sort will continue to exist, the question next to be considered is: What will be their nature and what should be the attitude of the citizen towards them? This brings us to the second solution mentioned, viz., the creation of independent municipal parties; parties which present programs relating to municipal questions *only*, and which play no part in national or state politics.

This solution is supported usually upon the theory that muni-

cipal problems have no relation to national problems, that there is no free trade way of conducting a fire department, that the free coinage of silver has nothing to do with the water supply, and that the annexation of suburban villages does not involve the question of imperialism. Apparently, there is much truth in this statement. It does seem that the wisest decision of any problem would result from the consideration of those factors and only those factors which influence that problem.

However, the formation of parties exclusively municipal is rather discountenanced owing to the fact that such parties do not exist, except in a very few exceptional instances, and that they have been always subject to an exceedingly high death-rate. Notwithstanding the impression given by a few writers upon city affairs, it is nevertheless true that with scarcely an exception municipal elections in all cities are fought out not between purely local or municipal parties but between the local branches of the national parties. In Hungary, owing principally to peculiar conditions in the federal government, there is but one large party, and consequently municipal parties have sprung up. But even there other than local issues decide elections, so that even Hungary is not entirely an exception, and similar conditions can hardly exist in any other country. In Italy, the national parties are the outgrowth of local jealousies and the intriguing of cliques and are not parties in the proper sense; but even there such national parties as do exist play a very important part in municipal politics. In France and Germany, parties are upon a somewhat higher plane than in Italy, but nowhere does one find distinctively municipal parties. There are "parties" whose interests are local or self-centred, but a party whose policy deals with municipal problems, whose field is confined to one city and which avoids national politics, does not exist upon the Continent.

Even England, despite current statements, has not eliminated the national parties from municipal politics. Whenever a member of the town council is to be elected, the Liberals and Conservatives, and perhaps the Independent Labor party or the Liberal Unionists, nominate candidates *unless* one party is so sure to have a majority that it is useless for the others to fight an election. Then only one candidate is nominated, and he by the party in con-

trol. This is due not to a feeling that the national parties ought not to nominate candidates, but to the fact that election expenses are heavy and that the candidate has to pay them, which he is very loath to do when he sees almost certain defeat ahead. Indeed, local elections are watched as with us for clues as to how the country stands upon national politics. It is not uncommon to see lists of mayors printed shortly after elections stating to which national party each belongs. *The national parties do take a hand in England municipal politics.*

The difference between English and American municipal politics appears when councilmen come up for re-election. The question of retirement or return to the council is determined largely by their records as officials and not by their positions upon national political problems. It is to be said, however, that the Liberals are inclined to vote for men who favor extending municipal activity, which is in line with their attitude upon certain national questions, while the Conservatives oppose the extension of municipal functions, as might be expected. But not infrequently a town is Liberal in local and Conservative in national policies, which is due largely to the existence of a considerable number of independent voters, who are not rigidly bound by party ties. In brief, the characteristic feature of English municipal politics is not in the parties themselves (there are no municipal parties), but rather in the larger number of independent voters, the disregard of former party affiliations when they conflict with principles and the supreme disgust for the spoils idea, which cannot get a foothold.

The only apparent exception is London, and as some have predicted that its example will be followed generally, it deserves more careful notice. In 1888, when the London County Council was established and the first election held, the voters divided upon the question of the extension or non-extension of municipal functions. Those favoring a more-or-less socialistic program came to be known as Progressives; those opposing, as Moderates. Somewhat the same line divides the Liberals from the Conservatives, but whereas London is conservative in national politics, it is progressive on local questions. Almost from the start the Conservatives wish to control county council elections, and would

have taken the Moderate party under their wings were it not that the Moderate leaders managed campaigns so inefficiently, allowing the Progressives to drive them into a bad position, that the Conservatives did not wish to weaken their hold by championing an unpopular cause. The Liberals, upon the other hand wanted to bag the Progressive party, but the Progressives opposed the scheme, fearing that an alliance would lead many to forsake them, owing to the superior importance attached to national questions. Now it is evident that the same fortuitous circumstances will probably not appear elsewhere, and consequently the formation of similar municipal parties is not likely to be followed generally. Further, the plan seems not to have been productive of better results than those obtained in other English towns.*

Independent municipal parties are not unknown to American cities. Tammany Hall meets the requirements as nearly as any party that has maintained an existence any length of time. It has repeatedly sacrificed the national ticket for its own benefit and is always "regular" only because it wishes to hold the entire Democratic vote. Yet Tammany is more frequently and more vigorously condemned than any party that has ever existed.

The reform parties which have sprung up from time to time are truly independent municipal parties, but scarcely one has been able to survive two successive elections. The reasons are perfectly obvious. Reform movements usually have been destructive agencies. They have sought to tear down, to overturn, to oust. This plan works very well the first time it is tried, as spasmodic revivals of civic righteousness show. The malcontents willingly unite because they have a common purpose. But once successful, they break up into factions, and disruption follows because their immediate purpose has been accomplished, and there is no enduring motive to take its place. As the party in power, the reformers must act. But a constructive policy has not been agreed upon. Each clique insists upon its own dogma and will not subscribe to any other principle. Even the city officials placed in office by the

*Since this was written, elections for the new borough officers have taken place in London. The tendancy was so strong to introduce national politics that only eight out of twenty-eight boroughs are controlled by the Progressives. Many voted "khaki," in both Parliamentary and borough elections.

reform movement cast discredit upon it by following their individual or clique ideas instead of acting in harmony. Oil and water may seem to have formed a chemical union as long as in rapid motion, but when the disturbing influence has been removed, they are as distinct and irreconcilable as ever. Thus reform parties break up, the second election finds their following dissipated, and a party with a working principle in control.

This analysis suggests a remedy, viz., the formation of a reform party with a constructive principle as a basis. But now other difficulties appear, which not only go to show further why reform parties have failed, but why new parties and especially independent municipal parties are doomed to almost certain failure. New parties, no matter what their principles, are at a decided disadvantage. Time is required to perfect an efficient organization and secure a constituency. The voters hesitate to give their support to what is new and untried. The old party has a history to which many cling, even after the spirit which gave it life has departed. Issues are decided, but men continue to vote as if these issues were still dominant. Party lines tend to petrify, and it is only after several years have passed or after some vital question has disrupted all ties, that men forsake dead issues and vote as the problems now dominant appeal to them. A new alignment may even cause party names to represent ideas almost antagonistic to those which they formerly represented, but many continue to vote for the name nevertheless. In the heat of the strife, ultimate objects are lost sight of in the desire to win.

These difficulties are in the main temporary. They confront every new party and are not insurmountable. When a party manifests considerable vitality, they can be and have been overcome. There are others, however, which are not temporary but permanent, which apply to municipal parties only, and which are of such importance as to deserve consideration. In the first place, national and state politics overshadow municipal politics and probably will continue to do so for some time at least. If our analysis of the party idea is correct, we may also assume that national parties will continue to exist. Now the advantages to these parties through taking a hand in municipal politics are very great. It helps to keep the party organization in running order

and the party followers from dropping away, which very largely accounts for the fact that in no country are there distinct parties for each class of issues.

In the second place, the increasing percentage of persons living in cities makes it more and more important to the success of a party that it control the cities; and to accomplish this, it must play an important part in municipal politics.

Further, there is often much similarity between national and municipal issues. It is true that many questions which relate to the organization of the city departments and their administration have nothing in common with national issues, but a fundamental difference between national parties is the view taken of governmental action, whether it should be large or small, and this is coming to be one of the most important municipal problems. When questions arise in city government that call into action the same ideas that are applied to national questions, national parties will take issue, and it is perfectly natural that they should.

Finally, under our present system of legislative interference in municipal matters, local questions are settled at the state capital, and in order to carry out local policies members of the state legislature must be elected. This means that local parties must enter state politics, the very thing the independent municipal party is supposed not to do. This was most forcibly illustrated two years ago when the Citizens' Union of New York found itself between the horns of a dilemma. The party men accused it of inconsistency for proposing to nominate candidates for assembly and senate. But its own members found it impossible to carry out their ideas without controlling the legislature.

My conclusion is, therefore, that independent municipal parties are confronted with almost insurmountable difficulties and that for the present it is useless to discuss the advisability of establishing them, especially as there is another plan almost as efficient which obviates all of the objections just mentioned.

This brings us to the third and last suggestion, viz., the adoption by the national parties of municipal programs—the announcement of their positions upon municipal questions. This is, I believe, the true position of the party in municipal politics. At least it is the best solution attainable in the near future. Already

the trend is in this direction. Party platforms make more reference to local questions than formerly. The voter is not so content to vote the same ticket in municipal as in national elections. He insists upon knowing what the party's position is upon local questions. If he does not endorse it, he votes with another party.

This trend is perfectly logical. The advantages to the national parties, as pointed out, are too great for them to withdraw from municipal contests. They are determined to remain, not so much perhaps because the ideas they represent are involved, but because by so doing the party is kept united. It matters little, therefore, what the principle is that the party adopts, if only one *is* adopted and used as a rallying point. However, the party will not intentionally formulate a policy that will not gain support or one that it does not believe will gain support. The desire to secure votes is just as strong as ever, and no injury is done to the theory of party responsibility by following this course. The only instances where this will not be done are those in which national and state politics are closely related to municipal issues. Then, the national parties will not refrain from taking a hand in local elections, and no one has urged that they should. Thus, the plan proposed has all of the advantages of an independent municipal party system and none of its impracticability, for exclusively municipal problems are determined only by principles applicable to municipal affairs.

Although this is the normal course, it is not to be concluded that independent movements should never be inaugurated. They often serve a most useful purpose and are necessary occasionally to arouse the old parties and make them realize the existence of new conditions. But what is wanted is not so much the independent *party* as the independent *man;* the man who has high ideals and yet an accurate estimate of how rapidly progress can be made; the man who will abandon any party the moment it ceases to represent his ideas; the man who applauds virtue, honesty and efficiency wherever he finds them. The larger the proportion of such men, the more nearly perfect democratic governments will grow; the smaller the proportion, the less will principles be considered, the more sluggish and irresponsible will parties become and the more frequently will they fail to express the popular will.

The number of independent voters may be increased in two ways: by raising the standard of civic morality, and by altering our governmental system. The former needs no elucidation; its importance is well recognized. The latter calls for consideration in detail.

1. *Separation of municipal from state and national elections.* The tendency to vote a "straight ticket," to neglect to differentiate local from national questions, is very strong. But where municipal elections are separate, not only is it made much easier for the voter to express his opinion, as the issues have been differentiated for him, but experiences hows that the number of independent voters is actually larger and that more vote as their opinions dictate.

2. Scarcely less important is the *decrease in the number of elective officers.* It is practically impossible for the average voter to examine a long list of candidates. Where the offices are few in number, he can and does consider the conditions more carefully and his selection is far better. A large number of elective officers is not only most delusive but it makes imperative the shifting of responsibility from the voter to some irresponsible leader or boss.

3. *Facilitation of independent nominations.* One reason why voters are not more independent is that their views are seldom represented by any party, and consequently they are obliged to choose between parties to them equally bad. Naturally, they vote carelessly and largely from habit. If it is easy to nominate candidates, the tendency is not so much to increase parties and candidates, as to induce the parties to consider the wishes of the independents before making nominations and before formulating the party principles. This is the more beneficial and desirable result.

4. *Perfection of the party system.* The party was originally an extra-large organization. Gradually it came to be regulated by law, until now the statutes are numerous and contain detailed specifications. The result is the growing participation in party action of the better class of citizens. As the party system is more and more perfected, and, as it becomes a more efficient agency for expressing the popular will, the number of independent voters will increase. Changes should be made particularly in the direc-

tion of permitting voters to support different parties at different elections without being barred from every party for a long period.

5. *Extension of the referendum.* There are so many questions usually involved in any election and so rarely is any one pre-eminent, that it is almost impossible definitely to say what position the majority of the voters have taken. Perhaps the voter finds that no party represents his views completely, and is obliged to select the one which most nearly represents them and which will probably accomplish most in furthering them. Now, very frequently there are a few plain questions which call for simple answers. The expression of the popular will would be much easier and more definite if these were submitted directly to the voters. Intricate questions, which call for intimate acquaintance with the administrative departments, cannot well be decided by popular vote, but must be left to representative bodies. The referendum cannot be made successfully to take their place; but the party would be made more effective and less open to the charge of perverting the popular will, if the issues were less in number and more clearly outlined. The same purpose might be obtained, or its attainment aided, by some workable scheme for proportional representation.

6. *Centralization of responsibility.* This is to be accomplished in two ways: By the simplification of governmental machinery, and by the differentiation of functions. The party system has been condemned largely because it has developed the boss—an extra-legal personage who controls all departments of government. But as Professor Goodnow has pointed out in his recent work, *Politics and Administration,* our governments are so decentralized that some controlling authority is absolutely necessary, and not being provided by law, it sprang up outside of law. The principal question now is, how to make the boss responsible? When government has been simplified and responsibility centralized, most of the evils of boss rule will have been done away with. Part of the same movement is the differentiation of functions not only between parts of the city government itself but between the city and the state. Legislative interference is very disastrous, not only for the city, but the state as well. A sphere of activity for each should be evolved and central administrative control substituted for legislative interference.

7. *Eradication of the spoils idea.* It is obvious that so long as the hope of office or the possibility of feeding from the public crib causes men to support a given party, elections cannot rise higher than struggles for favors. So long as party leaders use their power and influence to secure for their followers freedom from law or illicit favors, principles cannot play the important part that they should. The spoils idea has been carried so far in New York city that many young, ambitious men join Tammany Hall because they see that success is made much easier by so doing. If the Republican party had no offices to give, no favors to confer, a large portion of its following would fall away. This condition is not indicative of such an abnormal moral standard as might be expected, for the rewards are numerous and the excuse is often made that one party is as bad as another. But remove the ability to confer favors, or create a public opinion that will not tolerate it, and a long step will be taken towards uplifting politics and party standards.

Our conclusion is, therefore, that the party system performs most useful functions, that it will continue to exist, that independent municipal parties as permanent factors are impossible and undesirable, that the formation of municipal programs by the national parties is not only the most desirable plan yet presented but in line with present tendencies, and that the fault lies not so much with the political party as the ideas or principles upon which existing parties are based. The party is an agency, and like an inanimate machine it is not to be condemned because corrupt men use it to accomplish their ends, any more than the street-car which kills a person because the motorman is careless or incompetent. The only ground upon which the party may be condemned is that of inefficiency. Is it, as a simple machine, doing the work for which it was intended? Is the work done necessary? Has a better system been invented? If these questions are answered affirmatively, it is useless and unwise to reject the party system, and attention should be directed more towards men and motives than towards the form of organization.

# UNIFORM MUNICIPAL ACCOUNTING.

M. N. BAKER, NEW YORK CITY,
Associate Editor *Engineering News.*

The number and excellence of the papers on uniform accounting and allied subjects, presented at the last and at earlier meetings of the National Municipal League, render it wholly unnecessary for me to occupy your time with statements regarding either the lack of uniformity in municipal bookkeeping or the great benefits that would follow if the needed reforms were effected. I shall therefore confine myself chiefly to a consideration of the aid towards uniform municipal accounting which might be rendered by the numerous voluntary organizations devoted to the improvement of municipal conditions, particularly if some feasible scheme of co-operation could be devised.

There have been a surprising number of attempts, on the part of societies and state legislatures, to substitute order for the municipal chaos confronting students of city affairs,* but almost without exception the action thus far taken has been specialized, localized or isolated, or has possessed two or more of these characteristics. Thus, as examples of specialization, different societies have addressed themselves, one to water works, another to electric lighting and a third to street railways; while for isolated action in the same field may be mentioned the three separate and independent schemes for uniform water works reports adopted by as many societies. The societies last named were national in scope, but as examples of localized action, which was also specialized and isolated, there may be mentioned the state control of gas and electric light accounts in Massachusetts and of street

* See "Engineering News" of July 5, 1900, for a review by the present writer of "Progress Towards Uniform Municipal Statistics in the United States," and also the same journal for June 14, 1900, for an editorial article on "Uniform Accounting a Prerequisite to National Municiapl Statistics."

railway accounts and reports in a number of states. It is gratifying to note, however, that three national voluntary organizations have adopted a very complete system of uniform accounting and that the Connecticut Railroad Commission has ordered its use, hereafter, by the street railway companies of that state.

What seems to be needed, on the part of the societies interested in municipal affairs, is a sort of senate, or joint committee, to work for the general adoption of uniform schedules for each branch of municipal activity and the correlation of the various schedules, so that every society will be working for the introduction of the same water works schedule, for instance, or sewerage schedule, and so the accounts for water, sewer, gas, paving and other undertakings will afford a broad general basis for comparison of results in different city departments. On the part of the state legislature, we must ask for state boards of municipal control, such as was proposed in New York a few years ago;* or state examiners, like the office established in Wyoming some ten years ago, or such state control of accounts as is included in your own Municipal Program. The English Local Government Board and Board of Trade may be cited as foreign examples of central administrative control of municipal accounts and reports.

While some kind of state control is absolutely essential to uniform accounting, we cannot attain the full measure of uniformity unless the several states adopt common schedules; and we can scarcely expect either satisfactory or common schedules unless the services of such specialists as are found in our national associations of municipal reformers, engineers and accountants are enlisted to work out the details and at the same time the various societies join together in an effort to secure general uniformity and correlation. The co-operation of the various state and yet more local societies is essential to the end in view, especially when it comes to securing the requisite legislative action.

What I would suggest is that this organization appoint a committee to confer and co-operate with similar committees from other societies in an investigation of the whole subject of uniform municipal accounting, and national municipal statistics.

* See reports of the meetings of the National Municipal League for 1896 and 1899.

Such an investigation would involve, ultimately, the accounts of each branch of municipal activity, and the general municipal balance sheet. It would include all phases of municipal statistics, or physical as well as financial date; and vital, criminal and educational statistics. The first work needed is a general survey of the whole field and a check on all these isolated and specialized efforts which, while seeking uniformity, are resulting in diversity, or at best are securing only a minor degree of uniformity. Possibly the general survey might be more speedily and effectively accomplished if entrusted to a strong committee from some organization like yours, on the same general plan as your Committee on Municipal Program, but it is desirable that such a committee should be authorized to confer and co-operate with committees from other societies, even if the scope of some of the latter should prove to be quite limited.

As a partial indication of the co-operation that may be expected from other societies, I may say that the following have already taken some action towards the end in view, or that their respective officials have assured me that such action was contemplated at their next meeting: American Society of Civil Engineers, American Society of Municipal Improvements, American Economic Association; American, New England and Central States Water Works Associations (three separate bodies), American and Western Gas Associations, National Electric Light Association, National Convention of Railroad Commissioners, Street Railway Accountants' Association of America and the Association of American Railway Accounting Officers (these three for street railway accounts), International Association of Municipal Electricians, American Public Health Association, Illinois Society of Engineers and Surveyors, and the New Jersey Sanitary Association. The list comprises a dozen national organizations, besides a few sectional or state bodies.

In conclusion, I will name what appear to me to be the three most obvious and important results that would follow a general reform in municipal accounting, with particular reference to uniformity:

(1) General improvement in municipal conditions, including more efficient government and better public service at lower cost;

(2) a flood of light on the vexed question of municipal ownership, the relative merits of the contract and day labor system of doing public work and a better understanding of the so-called "living wage" question, or two dollars for eight hours of unskilled labor, regardless of any and all attendant conditions; and (3) good and uniform bookkeeping would make possible the comparative statistics, local, state and national, so often needed by everyone concerned in city problems, and particularly by engineers, economists and financiers.

# UNIFORM MUNICIPAL ACCOUNTING.

JAMES BLAKE CAHOON, SYRACUSE, N. Y.
President, National Electric Light Association.

In discussing the able paper of Mr. Baker on uniform municipal accounting, I wish first to state that I am in entire accord with the views expressed by Mr. Baker, and only wish to emphasize and elaborate some of the principal points which stand out from the balance of the paper. The first point is the aid toward uniform accounting which might be rendered by voluntary organizations, especially if a scheme of co-operation could be devised.

During my business career, it has been my good fortune to be placed in charge, as manager, of all branches of quasi-municipal corporations with the exception of a telephone company, and for the past four or five years the point that has stood out most distinctly at conventions of the several societies of which these corporations were members is that of accounting and the lack of uniform accounting. At the time the National Street Railway Accountants' Association was organized, the divers ways of carrying out the accounting of street railways was brought forcibly home to me by reason of the auditor of our companies being on the committee on forms.

There were mutual concessions made back and forth between the accountants in an endeavor to secure a system which should have uniformity and simplicity, and while I do not agree with some of their forms of statements, yet a marked advance has been made towards securing uniformity, and the rest will follow. The railroad commissioners of several states have been so impressed with the earnestness shown and the excellent results produced that they have practically adopted the recommendations of the Association for the making up of their annual reports by

street railways, and very much the same form is required of steam roads.

Mr. Baker tells what has been done on the question by the three water works associations; I will merely add that the gas associations are agitating this question strongly, and at the last annual convention of the National Electric Light Association a paper by the present writer was presented, advocating the adoption of a uniform system of accounting by all members of the Association and presenting a system of accounting for both electric light and gas companies.* This was so well received that the entire morning was taken up in its discussion, and there was not a dissenting voice.

One of the points emphasized by the author was the necessity of publishing at frequent intervals a clear statement of all receipts and disbursements, giving the operating expenses in detail and showing just exactly what profit there is in electric lighting under a proper system of accounting, also advocating the placing of all public utilities under state control.

Mr. Baker touches only lightly on the determination of true cost, and I believe that every student of economy who has given this matter due thought is agreed that the determination of the true cost is the prime factor in settling the much vexed question of municipal ownership. For instance, Mr. Allen Ripley Foote, pursuing the subject from an editorial standpoint and myself, studying it from the more selfish point of manager of several corporations, arrived at the same conclusion,—that in order to show the true cost, it was necessary to include therein interest on investment, taxes, or if not paid, taxes relinquished, interest on money borrowed temporarily, and investment insurance, or depreciation as it is often termed.

Having determined the true cost in this manner for either a private or public company, it then becomes an easy matter to show whether it is better for a community to place the operation of public utilities in the hands of public officers or in the hands of private corporations. We are all seeking—that is, those of us who are serious in the matter—the path that is productive of the most good to the greatest number, and if it can be shown in

*Copies may be obtained from the National Electric Light Association.

this manner that public utilities can be operated cheaper and better by municipalities themselves, there can be no question but that private capital will abandon the field; but private capital does not as yet concede this, and in order to determine this point the National Electric Light Association made a proposition to the League of American Municipalities at their convention in Syracuse in September, 1899, in effect that they would be willing to stand one-half the expense of a careful examination of the subject and determination of the true cost of operation of municipally owned plants, this to be determined by independent engineers selected jointly by the presidents of the two associations. The cost as thus determined should then be compared with prices charged by the private company for plants of similar size and operating as nearly as may be under similar conditions.

An excellent point which Mr. Baker makes is that a senate or joint committee of all associations interested in municipal affairs should be formed, which committee will work for the adoption of uniform schedules for each branch of accounting, and ask the legislature of each state to organize a committee or board of control which shall have power to prescribe the manner in which the accounting of public utilities shall be rendered, and compel them to make a full report at least annually, which shall be published for the information of the public. I am in most hearty accord with this, and I know that the National Electric Light Association as a body will gladly co-operate with such committees.

By resolution introduced at the last convention of the National Electric Light Association, a committee on accounting was authorized, and the president of the Association has appointed as such committee four of the leading expert accountants of the county. They are authorized to go over the whole subject of accounting, and formulate a system which they are to present at the next convention for adoption. This committee stands ready to meet the committees of other associations and to do all in its power to secure a uniform and concerted action, formulate the necessary resolves to be presented to the legislatures of the different states for their adoption and making into laws to secure a uniform system of accounting and uniform method of control under a state board or committee.

The subject is so comprehensive, vast, and far-reaching in its results, that, as Mr. Baker says, only specialists should be enlisted in the work. This subject has been agitated for some time without much of any progress being made, and I think Mr. Baker has brought it to a head with his suggestion of the getting together of committees from the different associations, who will form a joint committee to take this matter up and push it through to a conclusion; in order to do this, however, the Association appointing committees must give them not only power to settle disputed questions of accounting, but agree to abide by the decision of the senate or joint committee, or, in other words, appoint their committees with the distinct understanding that they shall have full power to act in the matter. Give them this, and that joint committee will accomplish the result desired up to the point of presenting the necessary resolves to the different state legislatures—then the associations as a body must put their shoulders to the wheel and secure the passage of these resolves and the making of them into laws.

# UNIFORM ACCOUNTING AND STATE EXAMINATION OF PUBLIC ACCOUNTS.

HON. HARRY B. HENDERSON, CHEYENNE, WYO.,
State Examiner for Wyoming.

The privilege I enjoy of speaking in this Convention is appreciated. It is a high honor to have a place in your counsels, to listen to, and meditate upon the forcible and impressive addresses presented.

I am here upon the very kind invitation of your Secretary and have already profited by the proceedings of this meeting.

The subject you here discuss is one that deeply interests me, and I believe that it is one of the most important of the age in our public affairs. Uniformity in accounting has long since been recognized as essential by practically all the larger corporations of this and foreign countries. The banking interests, railway and insurance companies and other corporations all employ a uniformity peculiar to their respective business interests.

It is admitted in the addresses presented that to attain to the highest standard in governmental affairs, uniformity in classifying the receipts and disbursements of public corporations is necessary. This conclusion is shared by many similar organizations and by all those having the interests of the tax-paying public at heart.

The question, how to accomplish this end, is the one that is uppermost in our minds. It is a vexatious proposition and has been the subject of deep and earnest thought on the part of many of our leading men. The preparation of a system of uniformity in accounting that shall meet the requirements of the village,

borough, town, city, county or state is of itself a task embracing many perplexing problems.

Assuming that a general plan that commends itself to those interested in the subject has been devised, how shall it be made operative? What procedure shall be adopted whereby the plan suggested can be made a statutory one? Our governors must be approached, their endorsement secured and a ringing recommendation from the Executive Chambers made to the State Legislatures that a law be enacted that shall embrace the substance of the entire plan devised and provide for its successful operation. Thus far we have been successful, but it is in the halls of the several legislatures that the relief sought will meet with the greatest opposition. It is here that the professional lobbyist and scheming politician will endeavor to thwart our purposes. The objection will not be particularly to the plan proposed, but to the method of asserting and making it operative.

Without a law providing for its effective operation, uniformity in accounting would be of little effect and fall far short of its purpose. However, I am of the opinion that if the plan is honestly and fairly presented, accompanied with a bill entirely void of political entanglements, that it will appeal to the thoughtful legislator and receive the hearty endorsement of the people and press, thereby enlisting aid and support that will override all political objections. In this manner I predict the results we desire to attain will be fully realized.

Methods of uniformity in accounting have been devised by many individuals and associations, but each has features not in harmony with any other, therefore there is no uniformity except for local purposes.

It has been suggested that a committee be appointed from this association to confer with like committees from other associations and agree if possible upon a general plan of public accounting. With this suggestion I am in accord. It is a practical method. The first step taken, the second can be more easily and confidently approached. Permit me to suggest that if such a committee be named from this association, that it be given full power in the premises and that its acts shall be ratified even before they are performed. Further, allow me to suggest that in

devising plans and considering methods and the preparation of a bill to be enacted into a law, that the committee shall not overlook the important matter of providing for uniformity in county and state accounting.

Municipal accounting is important, but county and state accounting are not of less importance. Yes, I may even say that the plan should extend to our common school and college systems. It should be universal.

I have already referred to the necessity of a law to make operative any plan or method agreed upon. In what manner and how the law shall be administered is susceptible of honest differences of opinion. Some will recommend the creation of a commission, others will adhere to the one man policy. Personally I am favorable to the latter. It avoids the shifting of responsibility and does not necessitate the submitting of every proposition or question to a commission. Public interest would perhaps suffer if questions of importance could not be determined speedily. This is an objection to the commission plan. Where there is but one person to determine any matter submitted, his decision may be immediate, and if errors are made, there is no difficulty in fixing the responsibility. I am therefore favorable to the office of State Examiner. The question at once arises, what should be the qualifications of such an officer? First, he should be a competent accountant and well informed in public affairs. Second, he should be well informed in the laws of his state and in general familiar with the fundamental principles of law. Third, he should be a man of character, having the moral courage to do right because it is right and not because he draws a salary for it. If he has these qualifications, I can assure you he will be successful in administering the affairs of his office; without them he will be a failure, the tool of designing politicians, and will drag the honor of his office in the dust.

You have noticed that my argument presupposes the office to be a quasi judicial one and that the person or persons administering it must have peculiar qualifications.

You are already asking in your mind, what are the duties of this office? To this I must answer, that to enumerate them would require more time than this meeting could allot me.

A system of uniformity in accounting has been adopted. It must be enforced. The examiner must ascertain whether the officers are reporting correctly. This necessitates a thorough examination of the accounts and checking them into the proper charge columns. It embraces the examination of the accounts of all fiduciary officers, not from a superficial standpoint, but in all respects, a technical and detailed examination. An examination of this character leads to an inquiry into the several causes for the creation of certain lines of expense. The examiner must report truly and intelligently. It is his duty and he will, if he is a proper officer, ascertain whether the expenditure of the public funds has been economical. If not he must take note thereof and report the facts without fear or favor. I hear you say, however, that I have omitted one of his qualifications. Yes, but it was for the purpose of having it suggest itself to your mind. He must be a business man having the ability to manage and direct one of the greatest business interests of our country. He must be able to confer in an advisory capacity, with the officers whose accounts he supervises

Too often individuals are elected to public office who have no adaptation to the business to be performed, their education and training have been along other lines Then it is that the impartial counsel of an examiner becomes of value to the public. It is then that his business experience operates to the benefit of the governed.

But my time is passing rapidly and I apprehend you desire to learn some of the results of Wyoming's Examiner Law, acknowledged as being the most complete of any state in the Union.

The development of the office has been wholly under my administration; but I would not have you think me egotistical and will therefore make but few references to my personal work.

Wyoming is a large state in number of acres, but comparatively small in population. We have, however, the same political subdivisions as exist here and elsewhere. Our law as first framed applied only to state and county affairs. It now embraces every department and subdivision of our government, handling public funds. The accounts of every officer in the state are subject to

the examiner's supervision and examination. The work of the office has been greatly increased. Much time is occupied in performing additional duties imposed by the public, and during the past two years I have been able to maintain a regular and effective supervision and examination in state and county affairs only.

With additional assistance we hope to have provided next year, the examinations will probably all be made within the year and embrace each city and school district.

What have we accomplished? In 1892 the state was composed of twelve counties, having an expense for maintenance that year of $412,000, with but two counties upon an approximate cash basis. The other counties generally exceeded their revenues and caused illegal warrants to be issued in payment of expenses. Illegal, because the funds of the current year had been exhausted. Later the state was divided into thirteen counties and in 1899 had a total expense of $295,000. Every county is now on a cash basis and last year each county had a surplus to carry over to the present year, or to apply towards discharging indebtedness created years since.

Our expenses have decreased annually. My judgment is that we have now reached the minimum. Comparing the expense of 1892 with that of 1899, we have a reduction in favor of the latter year approximating $117,000, the equivalent of a levy of three mills on the dollar on our assessed valuation of property for taxation.

You are questioning the efficiency of the government under the decreased expenditure; permit me to say that our government is now more efficient and that we realize more benefits from the expenditure of public moneys than ever before.

The examination of accounts is technical and embraces the checking of every item whether great or small, the subsequent footing of the cash accounts, and finally their summation. Every account paid is closely examined, the nature of the expense ascertained, the legality of the bill inquired into and the amount is finally checked to the stub of the warrant issued, and also entered in the proper column of the expense register. Whether or not the officer has conducted the affairs of his office in conformity with the statute is also made a subject of inquiry.

The examination made, a written report setting forth the results accompanied with criticisms, requirements and recommendations is prepared and filed with the Governor and a copy thereof filed with the officer or officers whose accounts were the subject of investigation. Should it appear that there had been violations of law in the conduct of any office, the examiner must report thereon and he has authority to enforce his rulings. In case of defalcation or embezzlement, his findings are absolute unless reversed by the District or other court having jurisdiction.

In case of the default of any treasurer and the inability of such officer to replace funds illegally used within the time designated by the examiner, the examiner shall at once assume charge and in all respects he becomes the legally constituted treasurer of the state, county, municipality, or school district as the case may be.

Another important feature is the meeting of the examiner with the constituted boards authorized to make the annual tax levy. At such times the expense budget for the ensuing year is carefully canvassed and reductions made wherever possible. This paves the way for a reduced levy of taxes and frequently the total levy may be reduced from one-fourth to one mill or more as compared with the previous year.

It has been my aim in public affairs to effect retrenchment in expenses, and to secure value received for every dollar expended.

I have read recently that the State of New York is unable to furnish to the legislature of that state, a statement of its anticipated revenue for state purposes. Perhaps this inability can be attributed to the many departments from which revenues are derived, or to the fact that the receipts from many sources are irregular. Whatever the cause may be it should not exist. There should be some centralization of statistics from which definite information regarding the finances and anticipated revenues of state, counties, municipalities, and school districts could be obtained. Information of this character is absolutely necessary to the successful administration of any government. In Wyoming our sources of revenue are limited and it is possible to lay before the legislature a statement of anticipated revenue that very

closely approximates the actual results. In county and municipal affairs our statistics are equally definite.

Our state and county affairs are conducted upon a business as well as cash basis. This in contrast with the reported condition of our neighboring state (Colorado). Colorado's valuation is largely in excess of Wyoming's, but her finances and those of the city of Denver are reported by the newspapers as being in a deplorable condition.

I might say that a recent governor of that state who was a businessman said to me after having investigated the results of our law, that should he have the opportunity, he would strongly recommend and urge the creation of the office of examiner in that state. Unfortunately he was not governor during the next session of the legislature.

Our bonds are recognized as gilt-edged securities, and population considered, are sold at a lower rate of interest than any other western bond on the market.

The question arises whether or not the benefits that have been realized in state and county affairs would be obtained in municipal affairs, were the same supervision exercised. To this I answer, yes. I have examined the accounts of almost all our municipalities from time to time and know positively that all have been benefited in a degree. With the same close supervision exercised as in state and county accounts, the benefits would be equal.

It is generally conceded that state supervision is preferable for the reason that such an officer not only is unbiased and unprejudiced, but he brings with him an experience that has given him broader ideas concerning the administration of public interests.

Aside from the benefits that are to be derived from uniform accounting, there is another matter worthy of notice, to wit: that it aids in securing the nomination and election of more competent men to office—men who have other than selfish interests at heart. We need men in this day and age who are courageous, fearless, energetic, enthusiastic, honest and intellectual, to man our public offices, to occupy positions of trust, quite as much as we need brave, fearless and enthusiastic men in our armies. Men who can pass through the fiery ordeals of temptation of public

office with unstained character, with no smell upon their clothing of the parasites—demagogy, uncleanliness and profligacy—that everywhere surround them.

Such men, Mr. President, will be successful in the discharge of any trust reposed in them whether it be public or private, and they are heroes as valiant as those who fought and won our battles at Gettysburg, Vicksburg, San Juan, El Caney, Manila and Peking.

Why do we need uniformity in accounting? First, because we wish to be informed. Second, that we may study intelligently the cost of maintenance of any department of government. What are the sources of revenue of this and other cities and for what purposes are disbursements made? This information will appear where uniformity in accounting is established. Where there is no uniformity and no particular forms of reports required, the general reports would read about as follows:

| | |
|---|---|
| Amount on hand March 1, 1899..... | $ 17,550 26 |
| Receipts from all sources..... | 138,341 92 |
| Total ..... | $150,892 18 |
| Disbursed for all purposes..... | 128,276 10 |
| Balance on hand March 1, 1900..... | $22,616 08 |

What information does a report of this character convey? Practically none. It shows, however, that the balance on hand March 1, 1900, is greater than on March 1, 1899. The statement is pointed to with pride. The administration has been economical, their report evidences that fact, the receipts have not all been expended and it is possible that a campaign has been waged and won with no other issue.

Such a report fails to show whether the receipts have been from taxes or other sources. It does not disclose whether the credits have been passed to the proper funds, or whether the ledger balances correspond with the cash on hand.

It does not show that it cost $57,500 to lay a sewer main that might have been constructed for $43,500, or that the cost of

maintaining the fire department was excessive, or that the purchasing officer of the city had been paying exorbitant prices for supplies, or that the sum of $1,000 appropriated to entertain the National Municipal League, provided it should hold its meeting in that city, had been used in payment of campaign speakers whose efforts were necessary to secure a majority vote in favor of municipal ownership of street railways, thereby placing another burden upon the people. Let us inquire further—go between the covers of the books and learn the conditions that exist. Take up the tax record; here and there are names of persons whose taxes have been delinquent for years. These are the names of persons who have an influence with the powers that be, or perhaps they control a large number of votes, therefore it would be impolitic to compel the payment of such taxes by process of law. Turn to the receipt books; here and there a stub with neither name nor amount, it may bear the notation "Receipt Spoiled." If it were spoiled, why was it removed from the stub? These are conditions, Mr. President, that will be found to exist where there is neither uniformity in accounting nor public supervision.

If the accounts of officers, who know themselves to be subject to a most thorough examination or supervision, reveal errors and discrepancies, what must be the condition where no examination or supervision is authorized! I leave you to draw your own conclusion.

Without uniformity there is no method whereby the expenses of neighboring cities having approximately the same population, whose cost of maintenance should be about equal, can be compared. By comparison we become economists. Every officer has some pride and should it appear that some other government or department thereof is being conducted more satisfactorily to the taxpayer than his own, a friendly rivalry is created and the officers of each town, city or other government will endeavor to secure the greatest benefits to the public from the funds at their command.

Officers who would not so strive would be blacklisted and defeated in the next campaign.

Uniformity in accounting will throw a flood of light on municipal ownership that in my judgment will be of great advantage to

the taxpayer. It will eliminate the uncertainties of the benefits to be derived from ownership of public utilities. It will establish beyond a question whether or not public utilities can be operated under municipal control as economically as under private or corporate ownership.

It will reach the educational interests and enable us to make comparisons between states and cities that will be of great benefit. It will deal with the maintenance of our poor and pauper population and the work of public charity; in fact it would be difficult to determine where its usefulness would terminate.

Why do I recommend public examination? I can answer this in a few words. For the reason that my experience has taught me that it is necessary. If it has been found necessary in my state, it is surely as essential in yours.

It is with a sense of pride that I refer to the financial condition of my own state and affirm that we are able, even with a comparatively small valuation, to conduct a government having all the subdivisions and functions of the older and richer states. I believe our statistics concerning taxation and maintenance are more reliable and definite than those of any other state; but we are not perfect, and no doubt, when a general plan of accounting is devised, we shall discover matters in which we are deficient.

I have argued for the creation of a department to enforce a system of uniform accounting, but if the creation of this office would jeopardize the passage of a bill providing for uniformity, then I should say to eliminate from the bill all else than its uniformity provisions.

Having secured the enactment of a bill of this kind, it will not be extremely difficult to secure the creation of the latter department.

I have talked at some length upon the initiatory steps to be adopted. They are all-important, for if the ground work be weak, the entire structure is weak. Let us begin right—lay a firm foundation upon which a superstructure can be reared that criticism and prejudice cannot affect.

# BANQUET SPEECHES.

The members of the Municipal Association of Milwaukee and their wives tendered to the officers and delegates of the National Municipal League a banquet on Friday evening, September 21, 1900, at the Hotel Pfister.

Mr. John A. Butler, President of the Municipal Association of Milwaukee, presided as toastmaster.

MR. BUTLER. *Ladies and Gentlemen:* True patriotism will always contest legislative invasions of popular rights *in times of peace* as sturdily as it would meet the outset of a thousand battalions in times of war! The present condition of municipal machinery, and the special legislation associated with it, the local irresponsibility of municipal officials and of the municipal voter also, the caucus and convention system *through* which the former are nominated by the ring, the tendency to subordinate public interests to private gain—all that means subserviency to everything that is hostile to the general good, and is far more insidious and fatal to the nation's welfare than the influence of any war. It is an invasion of the rights of the good citizen, and certainly a more than usual welcome should be extended to those who for years have been the apostles of the kind of patriotism I have described; who, believing that popular apathy is the result and not the cause of our municipal evils, have *disinterestedly* given their abilities and their time to such a solution of the city problem as will naturally call forth and give uniform and beneficent expression to the patriotism which lies dormant in the breast of every citizen. It is the object of the National Municipal League and of all its component parts, of which our local association is one, to equitably conserve the just rights of all, and to liberate and bring to bear upon the local affairs of every city those forces of generous feeling which are universal, but which in the stifling atmosphere of machine rule are choked and baffled, and finally perverted to the point of actual danger.

That the League's able committee has contrived a method, not indeed of making good citizens, but of rendering good citizens effective in properly directing their own affairs, no one who has carefully studied the city problem and closely examined the new Municipal Program can possibly deny. They have potentially emancipated the people from the control of the machine, and I am confident that those who see in society nothing but a mass of hopelessly warring interests, those who are prejudiced against the rich, and those who are timorous of the multitude, in whose good-will and confidence they should find their best security, will all eventually put their shoulders to the wheel in behalf of legislation based on the principles of

the new Municipal Program, and redeem this country in the one point in which it is many years behind the balance of the civilized world.

I have preached that doctrine in this city and state, in many cases to unwilling ears, and in doing so have often been reminded of an incident in the life of a venerable and very dear friend of mine, whose keen wit has been a tonic influence in the lives of many of those about him. A somewhat flippant young woman differed with him on one occasion about the spelling of a word. He saw at once that there was little use in opposing the assured possessor of all the facts, so he quietly yielded the point and said: "Yes, I know I am wrong, but I am glad to err in good company. Noah Webster has made the same mistake!" We have urged for years that adequate local power, administrative and legislative, exercised under definite and adequate responsibility, is the cornerstone of good city government. We have been told that we were in error. We have not indulged in controversy; we were in good company in our error with our distinguished and able friends of the National Municipal League. They have made the same mistake that we have, and I fervently hope that all the leading cities in this state will become infected with the same delusion.

If I had been called upon to make a speech this evening I should have selected the hopeful topic of good citizenship. I believe that it exists more generally than is supposed; we all believe it. The citizenship of our cities is unsurpassed, I might almost say unequalled, and that is probably true of every level of life. The lower you go the more you find the fundamental good-will in which the welfare of every community must repose. The laboring man may be misled, and exhibit a grave lack of judgment at times. The capitalist may and frequently does commit similar errors with less excuse. Both possess under normal conditions the attributes of good citizenship. I take a very hopeful view of the general outlook, and I believe there are few men in this or any other community who, unless they were misled and outraged to the point of frenzy, would invade and destroy the just rights and plain interests of their neighbors; and I am sure that is not too much to say in a country in which the rich and poor alike, from the straightforward and intrepid Roosevelt down to the humblest cowboy of them all, eagerly risked their lives in the Spanish war in behalf of what they believed to be the violated rights, not of their neighbors and fellows, but of foreigners and strangers! It is the same, with few exceptions, among men who are often regarded as the enemies of the masses. They are not that at heart. They possess the elements of downright American citizenship, and like many others, exhibit them when not lost as individuals in some unrestrained corporate entity, or blinded by some overwhelming and extravagant material interest. The new Municipal Program was evolved in a crusade against bad systems and conditions, and is intended, where applied, to free all concerned from influences which are inconsistent with the plain duty of every patriotic citizen, and provide a kind of government which will neither sandbag a corporation nor do its bidding; a government which will conduct the business entrusted

to it upon a basis of judicial impartiality and absolute integrity. We have the necessary citizenship and the men to worthily fill official positions. Under the new Program they will not only have a chance to conduct the government, but they will, beyond peradventure, be compelled to do so. That is what we all need, a state of things in which we are all so responsible that we shall all have to help govern.

I have said more than I should about the new Program and less about our guests of the National Municipal League than they deserve. They are welcome in this city, as it appears, by all classes, a fact of which I am proud. I welcome them in the name of all my fellow-citizens, and publicly extend to them my personal recognition of the sustaining influence of their companionship in the high work of the national organization which they represent. You are impatient to hear them speak, and I hasten to make way for my friend, Mr. Charles J. Bonaparte, of Baltimore, who will speak on "The Bad Citizenship of Good Men."

Mr. Charles J. Bonaparte, of Baltimore, then spoke in reply to the toast, "The Bad Citizenship of Good Men."

MR. BONAPARTE: *Ladies and Gentlemen,* I have been wondering during this dinner, in the very few moments that were left free from much more agreeable occupations, as to why there should be a toast to the *bad* citizenship of anybody; why should we drink or otherwise indicate our appreciation of something that we must thoroughly and unequivocally condemn? I mention the problem, I do not pretend to solve it. I was not responsible for the toast and therefore must leave the responsibility for the honor thus shown to something thoroughly dishonorable, where it rests and where I am sure a good reason for it exists. But, ladies and gentlemen, does not the toast assigned me contain a contradiction in terms? Can there be such a thing as the bad citizenship of *good* men? Macaulay, an author whom I used to read in my youth—perhaps the youth of the present day has outgrown him, and reads others more worthy of its attention—said that it was a contradiction in terms to say of Charles the First that he was a "good man but a bad king." I see no reason why this should not be equally true of an American citizen. Do we say of a man that he is a good man but a bad husband, or a bad father, or a bad friend? Do we recognize that a man in any relation of life, be it confined to the fireside or exhibited in the forum, can escape from the claims of his conscience? The suggestion reminds me of a very eminent personage of my native city, now deceased, who from very humble beginnings had risen to considerable prominence and comparative wealth, through those forms of statesmanship for which Baltimore in his day had a rather unhappy notoriety. He was a gentleman who professed the same form of Christianity that I do, and one morning early, as he returned from mass, he was met by a reporter who said to him, "Mr. A., I really cannot understand how a gentleman like yourself, who has shown such extraordinary ability and success in the occupations of 'stuffing' ballot boxes, 'plugging' corporations, 'fixing' juries, and the various other fields of activity in which you have deservedly earned the admira-

tion, if not the respect of your fellow-citizens"—I am perhaps slightly paraphrasing the words that were actually used [Laughter]—"I cannot altogether understand how a gentleman who has shown talent for such occupations, and who has given free play to the exhibition of that talent, should yet be, as you undoubtedly are, so regular, devoted and apparently filled with fervor in the discharge of the duties of your religion." Mr. B.," replied the statesman, "*I* never mix up politics with religion." [Laughter.]

Now, ladies and gentlemen, is it possible to avoid mixing up politics with morality? Of course, it is not merely possible, but generally done in fact, or at least very frequently done; but is it possible to do it without incurring the censure of conscientious and honorable men? Can you, in other words, recognize a man as a good man, as worthy of that name, as worthy of the thoughts associated with it, if that man is, as you know in your mind, cowardly, selfish, or possibly false and dishonorable in the discharge of the duties which have been imposed upon him by the inherited dignity or the dignity he has acquired, of American citizenship? My audience will answer that question as to each one of them seems best; but to me it seems that when you convict a man of bad citizenship, you convict him of being to that extent a bad man. If you can justly call him a good man, then he must be entitled to claim the name of a good citizen. [Applause.]

Now of course we all know very well what is meant by the subject which has been assigned me as the theme of my remarks. Some years since in my native city, an exceptional exhibition of wickedness and folly on the part of our City Council led to an indignation meeting of the best citizens of the city, called by the organization which I more particularly represent in this body. In calling this meeting we addressed to various gentlemen letters asking them to act as vice-presidents of the meeting, and, experience having shown us that under circumstances like those everybody who might be supposed entitled to the name of a good citizen could not justly claim it, we enclosed in each letter a postal card of response signifying acceptance. Some days after the meeting, one of the best known citizens of Baltimore was conversing with me and congratulated me on our having had so impressive a meeting and one so well attended. "I was invited," he said, in ignorance of the fact that I was well aware he had been so invited, "to act as a vice-president of the meeting, but unfortunately I could not do it, because, just at that time, the city was engaged in condemning some of my property for the opening of a street, and you know what it would have cost me if I had got the ill-will of those fellows." [Laughter.] Ladies and gentlemen, I do not ask you whether that was an exhibition of good or bad citizenship, but I do ask you whether the man who said that, and who had acted upon the principles which he thus avowed, was or was not entitled to call himself a good man. Doubtless he had some good qualities, but the worst among us have that; doubtless he was better than the worst, but he might be that without being good; and therefore when you are asked to consider why good men sometimes make

such bad citizens, is not the answer that they are *not* good men at all, but mere frauds who pass themselves off as good men? [Applause.] It may be a little harsh to describe them as *mere* frauds; they are frauds and perhaps something a little better than frauds in addition; but they are not men entitled to respect themselves, they are not men who can justly claim the respect of others; they are men who should feel and should be made to feel that they deserve the opinion which they secretly entertain of themselves. For, believe me, there is no one who acts as that man admitted that he acted who does not feel ashamed of himself for doing so. [Applause.] Remember, however, that good citizenship depends not upon some particular opinion or set of opinions as to what will advance the welfare of a community, but upon a readiness to advance that welfare, at the cost, if need be, of individual interest, comfort and safety, according to the best opinion that you in your judgment and conscience can form. We, pundits of the National Municipal League, are not entitled, nor are any other persons, whether more or less qualified by wisdom and virtue than we are, entitled to lay down a rule as to all matters of municipal administration or policy and impose it on our fellow-citizens, under the penalty of feeling themselves, and being deemed by others, unworthy of the name of good citizens, if they do not agree with us. In an American community, and in any community of free men, there will be wide differences of opinion as to all matters of policy in connection with municipal affairs. That is inevitable, and it is desirable, because through the shock of differing opinions, a wise and just course has been shown by the experience of the race to be most likely to be attained. But this difference of opinion goes to matters of *policy*, it does not go to matters of *conscience*. There are some things as to which all honest men think alike, and those are the things as to which a good citizen not only must think with us, for he will do that whether he wishes to or not, but must have the courage and the honesty to act on his convictions.

Ladies and gentlemen, I am happy to express the opinion that the bad citizenship of good men is not as frequent a phenomenon as the papers read before the Municipal League during the last two days might lead one to think who has not had the experience that members of the League have had, and who therefore cannot understand those papers as such members understand them. [Applause.] I do not mean by this that it is not an extremely frequent and an extremely depressing phenomenon—I do not mean that its frequency does not call for all the energies of this Association, and of every other association aiming to advance the welfare of mankind in our land, in an effort to raise the moral tone of the community so that our countrymen will better appreciate the iniquity and baseness of subordinating civic duty to private interests. But, while all this is true, while we should bear its truth in mind and enforce it on all occasions in season, and, as other persons may think and especially those addressed, out of season as well; nevertheless bear in mind likewise, as I said but a moment ago, that when you charge a man with being a bad citizen, when

you charge a man with subordinating to his own selfish interests those of the community around him, you are charging him with being a bad man, and you have no right to make that charge unless you yourself believe it; when you do believe it, make the charge unhesitatingly and take the consequences.

Ladies and gentlemen, a more pleasing duty, which is not indicated by the toast, perhaps falls on me, because I do not know that there is any one else who can claim it better, and acting upon the rule I have adopted in life of always taking every good thing that some body else does not claim [Laughter] I assume the right to thank the Municipal Association of Milwaukee for its hospitality this evening. We of the Municipal League have been hospitably and generously entertained elsewhere, but we surely will remember no place with quite the same feeling that must always be associated with Milwaukee hereafter in our memories.

TOASTMASTER: The next speaker will address you on "The New Municipal Program, a Growth, not an Innovation," I have the honor to introduce to you Mr. Clinton Rogers Woodruff, one of the ablest and most active of the municipal reformers of the United States.

MR. WOODRUFF. *Mr. Toastmaster and Friends of Milwaukee and Members of the National Municipal League:* The topic which has been assigned to me is one that has already received some considerable discussion at the hands of those who have been upon the program of our several sessions, and as each speaker has spoken he has taken away from me one after another the various points which I had expected to speak upon in connection with the toast which Mr. Butler some time since asked me to address you upon, so that I shall have very little to say, because all that I had intended to say has been said before and said very much better than I could say it. I had expected to say something concerning the many courtesies which have been showered upon us during our stay here, but Mr. Bonaparte has taken away from me even that. But at this late hour—and I say this for the encouragement of those who come after me—not very much will be expected.

The new Municipal Program is a growth and not an innovation.

To hear some folks talk you would think that the merit system was something absolutely new and that it was an innovation devised by philosophers of the type of Locke, who were expert in devising shrewd and successful schemes on paper which in practice proved to be utterly ineffective. The merit system has really long been in force and effect, only we have not recognized it as such. We have all heard a great deal of the boss, and we are destined according to the program laid before us in cold type, to hear still more on the subject from the gentleman from Indiana. The boss has applied with great force and effect the merit system. Those of you who have studied the machines which exist in some of our local cities, know that the merit system in all its fullness exists in the machine. That is to say, the boss of the machine continues in office as workers for that machine, the men who continue to discharge the duties imposed upon them, and they are continued in office no longer. The test, however, is

not their service to the public, but their service to the machine. Now the Municipal Program comes along and takes that very thought of fitness, but makes a new test of fitness, viz., fidelity to the city's interest rather than fidelity to the boss's or machine's interest. [Applause.]

It is no new thought, but it is an application of an old and long-tried principle, and one which the boss will tell you is worthy of all acceptance, so long as you let him determine what the test of fitness shall be. He will tell you on every occasion that the test of fitness is adherence to the machine and obedience to its orders. The framers of the Municipal Program will tell you that the test of fitness is fidelity to the public interest. So there is nothing new in that line.

Then comes the question of non-partisanship, which has been dwelt upon to such an extent in the Municipal Program; the divorce of national and state affairs from municipal questions, by the separation of municipal affairs from state and national. But after all that is not a new principle. Those of you who have followed the workings of the boss know that there is no better non-partisan than the boss. Of course it may not be so in Milwaukee—I am not speaking especially of Milwaukee—but I know it is so in cities like Philadelphia and New York. There is no better non-partisan in the city of Philadelphia than the practical politician. Why? Because when he recognizes that a particular nomination does not happen to suit his ends and his objects, he opposes it and votes for the man who does. But the good citizen has been slow to follow his example and has insisted upon voting for men who happen to bear certain party designations. Now the committee on Municipal Program, as it is called, has come along and taken that principle of non-partisanship, but has insisted that it shall be applied not for the good of the machine, but for the good of the city.

A great many people say "Oh, the Municipal Program is all very well and deserves the title of 'Model Charter,' but it must bear the test of trial—it is new." The National Municipal League is not responsible for the expression "Model Charter." It modestly put forward a suggestion for a Municipal Program adapted to the wants of American cities, after a careful study of the American Municipal situation. It says in effect, concentrate your responsibility in the hands of one man. Then some of our friends come along and talk as if that were an absolutely new idea, overlooking the fact that for years there has been not only a partial concentration of authority in the hands of one man, but practically an absolute concentration of authority in the hands of one man, and that man the boss. The Municipal Program says, concentrate your authority, but in the hands of a man who is responsible to the people, who must come before the people for a review of his acts.

Those of you who have studied the constitutional history of this country know that when our forefathers in the constitutional convention of 1787 came together they had a horror of concentration of responsibility and a horror of direct action. They inaugurated what was then known and has since been known as the system of checks and balances. They balanced

the executive over against the legislative; they balanced the power of the executive to make appointments over against the power of the senate, whose consent was necessary to all appointments; they balanced the power of the executive to make treatises over against the consent of the senate—and so in a number of other directions. They had the states balanced against the central or federal authority. So that we have come to have a great anomaly in our system of law-making. What does an Act of Congress mean? It means an act which has passed three different kinds of legislatures, as it were: one group known as the House of Representatives, elected every two years directly by the people; secondly, by the senate, elected for six years by an entirely different body of electors, viz., by the state legislatures; and thirdly, by the president of the United States, who is elected for four years by still a different body of electors, viz., the electoral college. Could you get a more perfect system of indirection than that?

Those who have studied this question know that when it is thought necessary to bring about a change in the laws of the country, it means a very, very long process, but the practical American mind has devised a means of getting direction out of all this multiplicity of indirection, by the system of party government, and that party government supplies the direction which the constitution of the United States does not, and so we get in a practical way, but unfortunately in a very indirect way, what we are all after, direct action on important questions; and that very indirection, the balancing of one body over against another, of one set of electors over against another, of one body of legislators over against another, has been followed in our state governments, and so on down into the municipal governments; so that there seems to have been a premium placed upon indirection; and all this has played directly into the hands of parties created for the purpose of supplying that direction which the direct American mind demands. The Municipal Program recognizes this, and legalizes the direction, legalizes the concentration, and says, let us put in the hands of one man the necessary power, properly safeguarded by those restrictions and rules which experience has shown to be necessary, and have a mayor who is responsible instead of a boss who is only indirectly responsible.

The hour is growing late, as the clock reminds me. I might go on and indicate other cases wherein the Municipal Program is a growth, an adaptation, as it were, of existing political ideas. What there is new in the Program is not the methods themselves but the collocation of methods, and we have put it forth with a hope that it would solve that problem which many students regard as one of the most important confronting the American citizen at the present time. Do not indulge the hope that when the Program is adopted, the millennium will be introduced. We recognize that without good citizenship of good citizens the best form of government may fail, but it depends upon you and me as citizens, whether men or women, in our respective communities, to give to the Municipal Program that life and force and that effect which is essential to its efficient introduction into American municipal life.

The municipal problem is a great one, increasingly great, as the census returns show us. The cities are coming more and more to dominate American life. Whether we view the question from the religious, social, economic or political side, we see that the cities are the centre of influence. If we are to save American government, American politics, American development from the canker of corruption and infection, we must save our cities. How important then is it that every suggestion, that every plan looking toward the solution of the municipal problem, should have careful consideration, and how carefully should we regard every proposition which is based upon a study and consideration of American municipal conditions, and which is devised with the American situation in mind? I do hope that as a result of this meeting here and of the other meetings of the National Municipal League, both past and future, the people will be brought to a realization of the very great responsibility resting upon us in this connection, and that they will further realize that the Municipal Program is a contribution toward that end, and when you consider it as a contribution, do not regard it as the output of a group of theorists.

If I had time I should like to go over the membership of the committee that drafted the Program and show to you how those men were actively interested in the practical solution of these problems, and not in the carrying out of certain pet theories or panaceas, or methods intended to introduce the millennium. The men who constituted that committee recognized that we had to deal with human nature, and human nature as it is now, not as may be one hundred or two hundred years hence, but as it actually confronts us at the end of the nineteenth century, and as it is likely to present itself to us at the beginning of the twentieth.

Every one of us here can bring to bear that force and effect upon public opinion, if we only exert it, that will bring about sooner or later a solution of this problem, and I believe that the Municipal Program is a contribution to that end.

I thank you, Mr. Toastmaster and our Milwaukee friends, for all the delightful courtesies that you have shown to us, and for the consideration which you have given not only upon this but also upon previous occasions to the work of the National Municipal League, which is a sincere effort to improve municipal conditions in American cities. [Applause.]

TOASTMASTER: The next speaker will address you on the subject of the "City Boss." I have the honor of introducing to you Mr. William Dudley Foulke, of Indiana.

MR. FOULKE. *Ladies and Gentlemen:* Mr. Woodruff, when he complained that somebody else had made his speech before him, perhaps did not quite realize that he was invading my baliwick when he talked about the city boss and the way to annihilate him. I thought for a moment of bringing an action against him *Quare Clausum Fregit,* as the old law books used to say, but I believe that that remedy would be totally inadequate, for he has not only entered my premises, but he has taken what I was going to say clean away. [Laughter.] Still I remember the illustrious

example of a gentleman in my own state who was making some political speeches a few years ago with the son of our war governor, Oliver Morton. This gentleman, whose name I will not reveal, had five stories which he told in regular succession. [Laughter.] He always spoke first and Morton followed. They came, however, to one of the back districts of Indiana, and Morton said, "Let me speak first to-day," to which his friend consented, and he told the five stories which were the legal possession of his friend. [Laughter.] Then his friend had to follow, and those were the only stories he knew, and they were a part of his speech. So, by no means daunted, he told them all again, and the auditors had the satisfaction of knowing those stories so well by the time they left the meeting that they were able to memorize them. Now I do not know but that I will have to follow the same plan with my friend Woodruff. I am afraid you will have to listen for a second time to an explanation of the proper way to annihilate the boss.

Mr. Bonaparte said that he was not responsible for the toast which was given to him. I fear I cannot claim any such excuse, for you will remember, Mr. Toastmaster, that you wrote to me some days ago and asked me to respond to the toast of "Municipal Accounting." [Laughter.] Now a set of figures dancing before my mind's vision gives me a sort of nightmare. I have always hated accounts ever since I was a boy, and it struck me also that the subject would not be the most interesting in the world for those who might be condemned to hear it. So I asked you to let me off and give me the subject of the "City Boss." But I fear that this was a mistake, not only on account of Mr. Woodruff's speech in anticipation of mine, but also for another reason. I have found out within the last week or two, most unexpectedly, that statistics appear to be the most attractive things in the world. I was in New England not long ago and spoke with Senator Frye, and I noticed that whenever he gave to his auditors any statistics in regard to the excellencies of the tariff and the iniquities of free trade the most intense interest was shown. Afterwards, speaking to that same audience and talking upon matters which seemed to me rather interesting, I found that they became restless, and some of them got up and left the room. So I thought to myself, "If the Senator's statistics have kept them quiet perhaps mine will, for I have a few too." So I gave them all I had, and as long as the figures held out [laughter] I had the most complete attention; but when the figures gave out their patience gave out too, and the exodus was renewed. I supposed that this must be a New England characteristic, perhaps peculiar to the advocates of protection; but I think that may have been a misapprehension, for only two days ago, in coming down to an Illinois town, I found that my advent was hailed with flaming circulars, announcing that I was an eminent statistician, and concluding with the earnest exhortation, "Turn out and hear the great statistician!" [Applause and laughter.] I never knew that I had been anything of the sort, but that was what seemed to be the attraction, for pretty soon a very large band, and a very good one too, that

played excellent music, came up before the hotel. The band, as I said, was large; the procession which followed was not large in point of numbers, but I suppose that was not necessary. It consisted of the great statistician [laughter], with a county committeeman on the right hand and a state committeeman on the left. [Laughter.] The advertisement appeared to be attractive, for the hall was full. So I see now that it has been very unfortunate that I have chosen this most disastrous and uninteresting subject, "The City Boss," when I might have availed myself of the charms of statistics in city and county affairs. [Laughter.] But thus it is, and I suppose that it must remain.

Now the city boss—what is he? I come from a district in Indiana, one of those simple-minded neighborhoods where he has not been fully developed, and knowing nothing about the city boss as a practical matter, I can set him forth all the more graphically as a creature of my imagination. The horns I can extend to an indefinite length, and the clefts of the hoofs I can make just as deep as I please. I know that a city boss is generally a very bad thing, and yet, after all, he has come in answer to a demand. Before Napoleon became First Consul a constitution had been proposed for France in which the powers of government were greatly divided. He introduced a simple amendment, saying, "I found the supreme power nowhere and I put it there" (in the consulship). Now I take it that the demand for the boss has come out of the need for efficiency in governments which do not provide that efficiency themselves. The boss wields "the power behind the throne," a power that is not recognized by the law, but makes itself strong outside of the law. I do not know that the boss is necessarily a bad man. I think not. It is said that Pericles ruled Athens when he held no office. Now if that be true, Pericles must have been a boss—there is no better name for him. I know that we have had in Indiana a man who had almost the absolute disposition of offices. He did, however, hold an office himself—I allude to Governor Morton—and yet in the long run, his reign (for he was practically an autocrat during the last two years of the Civil War, when the legislature was dissolved, and did not even furnish appropriations and he had to borrow the money on his personal responsibility), his reign, I say, was beneficent, for he was a patriotic man and ruled the state for the good of the people. So I take it a boss may be a good man. That, however, is not our present experience with bosses. Past ages, too, have had their sinister experience. Do you remember Cosimo dei Medici? He was a man who held no official postion himself, under the complex constitution of Florence, where the citizens held office in turn, each for two months, by a system of rotation. But the lists out of which these officers were to be taken were made up by a few men selected every five years, and Cosimo, availing himself of his great wealth, controlled the election of that small body and had the lists of the officers made up wholly from his own adherents, until at last he overthrew the constitution, and thus the freest city of the middle ages finally became subject to a tyranny of the vilest sort. Now I take it

there is some such thing as that going on in many places to-day. Where corrupt agencies are at work there can be found the most perfect means of accomplishing the work, by applying not to the legislatures themselves, but to the one man who controls legislation—not to the subordinate city officials, but to the man by whose will those subordinate officials owe their political existence—that is to the boss. As I say, we in Indiana, being an innocent people, have not yet developed the boss system in its completeness; yet I think that I saw the things which lead to it, some years ago when I happened to be in the state senate, and I remembered these things this morning when we heard that excellent paper upon limiting the power of public service corporations by providing that their franchises might be taken away at any moment. That was said to be a remedy against the improvident granting of franchises which were very valuable. Now that brought to my mind something I had seen in Indiana in a legislature which had similar powers in controlling public service corporations. The instance was that of a telephone company, and the power resided in the legislature to revoke its charter or to compel it to adopt such rates as the legislature chose to fix. I am glad to say that the bulk of the members of our general assembly were honest, but we had a few men of a different stripe. There was one, a "Friend of the People," a man that did not wish to see the public oppressed by grinding monopolies—and what can be more a monopoly that a telephone company? So he introduced a bill to protect the dear people from the overcharges of the company, a bill which protected them so well that the rates which it established did not allow the company to furnish service and pay their royalties at all. But the love of this good man for the people extended a little further. He had pity even for the grinding corporations which he opposed, so he went to them and told them that, for a consideration of two thousand dollars, that bill would be pigeonholed. [Laughter.] I think that anyone who knows the market rates for such things would say that this was a reasonable proposition. But these hard-hearted, grinding monopolists would have none of it, so the bill went on, and eloquence waxed loud throughout the legislative halls, and by the influence of the good farmers who hated corporations the bill was passed, and the result was that the telephone company had to suspend business throughout a considerable portion of the state. Two years afterwards the thing was remedied. Now of course these public service companies do not want to be deprived of their business nor of their franchises, and in order to have a good middleman with whom to work and not see so many legislators as they would otherwise have to, they deal with the boss alone, and the boss receives the money which they pay for protection.

Now, I do not believe that there is very much more advantage to the people in providing that a corporation may have its franchise taken away at any moment than there is where the franchise is granted for a limited number of years. I think that a boss whose power only springs up at the end of, say, twenty years to get something from these soulless corporations

is perhaps not as dangerous a man as the boss who has that power every day, and who can take away their franchises at any moment. I do not therefore think that the remedy proposed in the paper read this morning will be a complete one.

But I do believe that in regard to the abolition of the boss himself the plan proposed in the Program of this Association will do something, because wherever you have virtual power it is better to have ostensible power in the same hands. It is better that the real ruler of a city should be openly responsible to the people of the city than that there should be a power behind the throne, perhaps unknown, always unrecognized by law and entirely irresponsible. So I say that the proposed city charter will do a great deal for the elimination of the boss. It will not do everything of course. We must get to work ourselves. We must not consider the cost of a little energy, a little money, a little comfort and convenience by the side of the welfare of the community in which we live. We ought not to flinch from the contest before us, and we ought not to flinch even from contact with the boss if it be necessary to secure purer government.

I was talking not long ago with Theodore Roosevelt, and he brought up again to me the idea which after all has been the motive power of a most illustrious life, *that of accomplishing the highest practical good.* Many of our reforming friends thought that when Roosevelt became Governor of New York it was very wrong of him to have any conference or any intercourse with the Republican boss, Senator Platt. They said, "Touch not the unclean thing, have nothing to do with wrong." Now the man who stands aloof and denounces these things from afar may be in a very safe position; but what can he do? Whereas the man who "sails in" and fights for the right accomplishes something. Governor Roosevelt's administration in the state of New York shows that. The man who "took the starch out of civil service reform" in the Empire State was superseded by the man who put the starch back again, and while Theodore Roosevelt was governor of the Empire State a high ideal of civic righteousness was attained. [Applause.] The methods that he pursues are very simple ones. I remember after he had been civil service commissioner for some time I congratulated him upon his excellent administration, and he told me that whatever success he had attained had depended upon perfectly simple qualities; that there had been no great talent required; that the duties of his office had consisted in enforcing a very plain law, in saying just what he thought, in being honest and not afraid of anybody. That is all there was in it. Civic duties do not often require that one should be a "pundit"—was not that the word? You need not be a pundit nor a very learned man. All you have to do is honestly to enforce the law, if you are in office, and, if not, to use all your influence and every power that you possess in behalf of salutary legislation and the honest enforcement of the law by those who are in office. That is performing your duty as a citizen; that is what your conscience ought to require you to do. [Applause.]

TOASTMASTER: I take great pleasure in introducing to you a gentleman who was conspicuously associated with the committee which drafted the new Municipal Program and who has been called upon by the public authorities of the state of New York to revise the charter of Greater New York, Professor Frank J. Goodnow, who will speak to you upon the subject of "A Strong and a Responsible Mayor, a Boss who is Responsible to the People." [Applause.]

PROFESSOR GOODNOW. *Mr. Toastmaster and Ladies and Gentlemen:* I must confess that I feel just at the present moment very much as a cowboy that I heard of once felt who was asked into an eastern home where they were in the habit of calling upon each one in turn to take part in family prayers. When his turn came he simply folded his hands and said, "I pass." [Laughter.] I certainly should pass on this occasion if I had not taken it up, and the only thing that I can do is to play as short a game as possible. You have already heard from several speakers this evening that their speeches had been appropriated. Well, now, I throw myself upon your indulgence and ask you if there is anything more that can possibly be said of any value upon the subject of a strong and responsible mayor? Mr. Woodruff has told us why the boss exists, and why the mayor should take his place. Mr. Foulke has also with his usual clearness given a complete statement of the reasons for the existence of the boss. However, I suppose I shall have to do as the rest of them did in that particular situation.

I was not in the confidence of the executive committee, and this being my first visit to Milwaukee, I knew nothing about Milwaukee except what I had heard. I was therefore of course not aware of the reasons why the Municipal Association of Milwaukee wanted the National Municipal League to come to Milwaukee this year, but after having received the courtesies of Milwaukee, after having seen your beautiful lake front, your magnificent residences, your fine streets, I had come to the conclusion that the reason why you wanted us out here this year was to show us that you had succeeded in solving the problem of municipal government. But to my great disappointment, from what I hear this evening from your chairman, and from what I have heard also in conversation with citizens of your city, I am inclined to believe that perhaps you are suffering from the same evil from which we are suffering in the East, that is, from a too strong party machine and from a too strong boss. From what has been said by the other speakers I imagine that the same condition of things exists in other parts of the country, and I am strongly inclined to believe with Mr. Foulke that the boss is an actual necessity. It is an actual necessity for the reasons which Mr. Woodruff has adduced, that is, on account of our loosely organized system of government. All that I can say in supplementing what they have said in this respect is to call your attention to the development in England along the very same lines along which we seem to be developing in the United States.

Now this government of checks and balances about which we have heard

was a government which unquestionably was closely modeled on the English system, as our fathers understood it at the time, and they, as we, had to have recourse to outside agencies, extra-constitutional agencies, agencies which received no legal recognition whatever, in order to make their government efficient, in order that it might accomplish anything. Now they have gone a step farther than we have. Their outside extra legal agencies are to be found in the cabinet and the prime minister; and while the adoption of these agencies met at first with exactly the same vituperation and condemnation that we are bestowing at the present time upon the party machine and party boss, yet the cabinet and prime minister are now recognized as perfectly proper and even necessary parts of the English government.

The question naturally presents itself, why is it that these things in England, which are so similar to what we find in the United States, are regarded now as perfectly proper, when at the time of their establishment they were regarded as just as improper as we regard the boss and the party machine? The only reason why these things are regarded as proper in England and improper in the United States is that the cabinet and the prime minister are believed to be responsible, while in the United States I do not think that the people are sufficiently convinced of the responsibility of the party machine and of the party boss.

Now what can we do to make the boss responsible? If we consider our boss at the present time we find that his most notable characteristic is, as has already been referred to, the fact that he ordinarily occupies either no public office at all, or that he occupies no office which is commensurate in importance with the position which he occupies in our real system of government. He is the power behind the throne, and what we must do is to make him the power on the throne, and in order to do this we must put him into office; we must overcome this excessive modesty on his part, this desire to lurk in the background. So far as municipal government is concerned we can certainly make a long step towards the desired end by increasing the powers of our mayor by making it absolutely clear that the mayor is responsible for the government of the city, and by preventing the boss from shielding himself behind a mayor who is his mere tool or behind other city officers among whom and the mayor the powers of the city government may be distributed. I am firmly of the opinion that, so long as we maintain our unconcentrated system of government, particularly in the cities, where the social conditions are more complex than in almost any other part of our government, so long we shall have the boss in his present form; and that not until we concentrate the powers of our government, and until we render the responsibility for governmental action clear and defined, will we be able to regenerate our boss.

I am not inclined to believe that that will accomplish all that will be necessary. I feel that the issue which has become such an important one in your present political campaign in this state, viz., the regulation of primary elections and the granting to the people of greater power in the determina-

tion of nominations, is almost as necessary as the concentration of governmental power, and it is on that account that I have been extremely glad to see the interest that you have been taking in that subject in this state. We have also been doing something along the same lines in the state of New York, and I understand that a law of similar character has recently been passed in Minnesota and has already been subjected to trial, which has shown that it is partially successful at any rate.

But even with the adoption of these methods we cannot hope that complete responsibility, which is so necessary to good municipal government, will be secured at once. We shall have to work along slowly, and in municipal government the problem is excessively complicated. It is complicated for the reason that the mere efficiency of municipal government tends to make the problem more difficult. Now, we are all, I think, commonly of the opinion that the great increase in the population of the cities of this country and of Europe, which has been characteristic of this century and which so enormously enhances the difficulty of governing cities, has been due to an increased immigration from the country into the cities. As a matter of fact, however, recent investigations have shown that that immigration from the country districts into the cities was as characteristic of the last century as of this. The enormous increase of the urban population during this century is due simply to a decrease in the death rate of the modern city, due in its turn to improved methods of sanitation, coming largely from improved methods of municipal government. We can well believe that this is the case when we remember that in the last century the death rate of London very often exceeded seventy per thousand, while at the present time it seldom exceeds nineteen per thousand. So we see that instead of diminishing the difficulty of good municipal government, improved methods are probably going to increase the difficulty, so far as that difficulty is due to an increased population.

At the same time I have always felt that this problem was not a problem that was incapable of solution in this country. I have never felt pessimistic in regard to it. It has always seemed to me that the reason why municipal government was no better than it is in this country—and I do not think it is nearly so bad as some of us are inclined to think in our moments of greatest depression—I am inclined to think that the reason why it is no better than it is, is that the intelligence of the American people for three-quarters of a century has been devoted almost exclusively to determining the relations of the state and nation. It is only within twenty-five years that we have begun to appreciate the fact that we have a municipal problem, and it is only within twenty-five years that that problem has begun to be studied. Twenty-five years ago there was no attention given to the subject in the universities. Now at almost every large university the matter is being studied. Perhaps I am inclined to overvalue the service that the university can render in the study of this problem, but I do believe that it can do something. How then can we despair of the solution of this problem who have already solved the prob-

lem of state rights and secession. Certainly if we have shown capability in that way, we shall be able to develop a satisfactory system of municipal government, and I entertain the hope, though perhaps it is presumptuous, that when that plan of municipal government shall have been developed, it will have incorporated in it at any rate some of the principles which are laid down in our Municipal Program. [Applause.]

THE TOASTMASTER: I take malicious pleasure in exercising for a brief time the powers of an irresponsible boss, as far as the audience is concerned, and in reference to placing our eloquent fellow-townsman on the program. I assured him in the beginning of our proceedings that I should afford him ample opportunity to arouse enthusiasm. I have therefore given him the advantage of hearing all that has been said at this banquet in regard to model charters. I have great pleasure in giving Captain Bean the opportunity of saying whether Wisconsin cities shall lead or follow in the new ideas and in their development and application. [Applause.]

CAPTAIN BEAN. *Mr. President, Ladies and Gentlemen:* I attended a reception last evening given by some appreciative and hospitable ladies to the strangers within our gates who represent the National Municipal League. The best society of our city was present in overflowing numbers, and some brilliant speeches were made by several of the guests in whose honor the reception was given. The first spaker demonstrated with most persuasive eloquence that it was entirely proper that ladies should lend their aid in establishing the reforms so dear to the heart of the National Municipal League—not only would it be proper, but that their co-operation was really essential in the great work. The speech was an admirable one, and at its close I was fully satisfied that the argument made by the gifted speaker was unanswerable. I was convinced. Now, as there was no program I was curious to know what topic the second speaker would discuss, and to my delight I found that he alertly entered upon the same subject. I should say that the second speaker was a younger man than his predecessor, and it was quite apparent that he did not propose to be outdone in gallantry. His speech was clear and cogent, and he showed that ladies should not only be permitted to take part in the work of reforming city governments, but it was their duty to do so. This speech also was brilliant and interesting, and for a second time, Mr. President, I was convinced. The truth is that my own predilections on the subject harmonized with the arguments of the speakers, and you know one likes to be convinced of what he already believes.

The third speaker was a gentleman of national renown and given to the discussion of weighty subjects of state, and I naturally supposed that he would entertain us with an eloquent review of some one of them. But I was again to be delighted, for this gentleman proved to be not only an eloquent speaker, but his gallantry to the fair sex was fully equal to, if it did not exceed, that of the two speakers who had preceded him. He not only approved of the positions taken by the other speakers, but he went

much farther and declared that the right of suffrage should be accorded to all women. This sentiment was smartly applauded, and for a third time I was impressed if not convinced. This part of the delightful *séance* closed by the appearance on the stage of a member of the sex that had been so much under discussion during the evening. This lady was politely and properly introduced as an "Honorable" by the presiding officer, and we were told that she was a member of the Colorado Legislature. She proved to be an interesting talker, and told us all about how things political and legislative were done in her state. I inferred from her remarks that in that part of the country it was never a question of "co-operation" on the part of the ladies, for out there they are rather more than helpers, if they are not the "whole thing." I am happy to be able to announce that this lady is a candidate for the senate in her state and to unhesitatingly declare that if I were a citizen of Colorado I would vote for her.

Now, Mr. President, I know that you will sympathize with me in my regret that the toast assigned to me this evening is not "The Ladies," for, as I have explained to you, I have copious data upon that subject, and if my response were not interesting it might easily be voluminous.

But the task set apart for me is not as pleasant a one and I am asked to tell you whether or not Wisconsin shall lead or follow in municipal reform. I wish indeed that I might say to you confidently that it would lead, for I have pride in the state that has always been my home, and that she should take a foremost rank in any project tending to purer morals and better laws would justify and increase that pride. If every one of her growing and prosperous cities were governed intelligently and justly, so that of all the cities in the republic those of Wisconsin should stand in the front rank unequaled for wise laws fearlessly administered, there is not an honest, self-respecting citizen wtihin her borders who would not be glad that his lines had fallen in such pleasant places. That such enviable prominence is to be hers who can say? Our old friend, Hosea Bigelow's maxim, "Don't never prophesy unless ye know," was at least a safe one; but I will, nevertheless, venture to predict that the field will be a fair one, and that when the people of our cities are once fully apprised of the clear advantages of the new methods and aroused to the danger of continuing in the use of the old, all will go well. It is to apprise and arouse that these gentlemen, eminent for their learning and high character, are with us, and surely we should not be slow in welcoming the new dispensation they bring, nor in giving them our cordial support. We all know that greed of money, power and place are foes of good government. But ignorance and indifference make up the main body of the army. Whether the proposed reform, as set forth in the model charter, is to be established in this state, or in any state, depends not alone upon the zeal with which it is promulgated, but also upon the disposition of the people to better their own condition. The optimist is always confident that any method of work proven to be essentially bad will easily be superseded by one essentially good; but the stubborn fact remains that civilization is a sadly slow

process, and from sheer inertness the average citizen will wallow in the mire of ancient laws and institutions, however cumbersome they may be or however inviting to fraud, rather than struggle for the spot where the ground will be firm beneath his feet and where he can fight for righteousness. It is not fair to sully the good word "conservatism" by applying it to such behavior—not conservatism, but cowardice—a kind of lazy inclination to let well enough alone, however bad that well enough may be, rather than venture on new ground, simply because it is untrodden. As an instance of the fondness for the antique in legislation I may mention the fact that the laws of the state of Connecticut providing for representation in their state legislature have not been changed since 1830,, and that a township of five hundred people has as many members in that honorable body as the cities of Hartford or New Haven. Walpole said every man has his price, and what could be clearer than the fewer the men to buy the better for the pocketbook of the buyer; and it is perhaps for this reason that both the buyers and their beneficiaries in Connecticut will have none of your reforms. And this, perhaps, in a less degree than in the case cited you shall find everywhere, if not a positive distrust of new methods, such as are proposed by this Association, an indifference as to whether they be adopted or not. The theory here in this free land is that every man is a sovereign; but while we, each and all, proudly accept the sovereignty, we calmly ignore the obligations attached to our rank. I am in nowise an alarmist, and am infinitely proud of the greatness and glory of my country; but unless there shall come an awakening among her intelligent sons, enabling them to see clearly, and, seeing, perform their political duties with the same alacrity that they perform the other duties of life, our greatness will shrivel and our glory grow dim. There is never a lack of co-operation among the baser elements in society and of men who make of politics a profession for what, according to their suggestive phrase, "there is in it." When the bugle calls, not a "brave" nor a "plug ugly" is missing from his place in the ranks. We were long since warned that when bad men combine, good men must associate. Unfortunately, there seems to be greater powers of attraction and cohesion among the sordid scoundrels who prey upon the vitals of the state than among those who, sincerely desiring that better methods should prevail, do nothing to obtain them. It is not my contention that every citizen should become a politician, even if by so doing he could redeem that word from the odious signification it has acquired; but I do contend that every citizen should display an active and energetic interest in the laws that govern him. It will not do to give a languorous approval to a movement designed to lessen political evils or shackle political knaves, nor to nod encouragement to the braver spirits who are working in the cold and rain. Go work in the cold and rain yourself, or abdicate your sovereignty. When war is declared and armies are raised, the volunteers come not alone from the lower stratum of society. The educated and high born bravely tender their services to their country in her hour of need. Why should they not with equal alacrity lend their aid in the civic contests that are continually being waged? If this class of people will fight the common enemy on the

field of battle, why should they hesitate to grapple with the knaves who would loot our treasuries or, for that matter, assassinate our public credit? I have long been convinced that bad laws, or at least the lack of good ones, is owing not more to the activities of the baser elements of society than to the apathy and indifference of the better element. Now, if we are to assume that the activites on the one hand and the apathy on the other are to be permanent conditions, the days that are to come will be full enough of gloom and the world will be the worse off, in that the experiment of freedom has failed. But let the actively bad be met by the actively good and all will be well, for, happily the number of persons of evil intent whose interests are promoted by bad rather than good government is far less in any community than is the number of those whose sole and strong desire is for good laws well and fearlessly administered. Organization should be the watchword, and it should be effected among all classes of our people of whatever vocation or station in life. It is the purpose of the National Municipal League to do just this thing—to awaken the too dormant public to the necessity of improving the government of our cities. In the largest ones the government is appallingly corrupt, so corrupt that it is almost an impeachment of our boasted free institutions, so corrupt that the very thug who carries away his share of the plunder blushes at the ease with which it was obtained.

The gentlemen who organized this Association have for years been devoting their time and labor in an effort to reform our municipal government, and to this end have devised what is known as the model charter, which they would like to see supersede existing charters. It would be unprofitable to discuss whether this charter is in every particular "model," but that it amends and cures many of the glaring defects in the charters under which our cities are now governed, there can be no question. But it is not only good in itself, it is good in that it is an objective point on which the attention and energy of the people can be centred. There must be a "model charter," or something equivalent to it—a rallying point for the forces, a bull's eye at which to aim, but there must be something more. However fine the weapon, however perfect the projectile, there must be a man behind the gun. The charter gives the mechanism, the people of our state must add the energy and enthusiasm that will make it go. And they must not be deterred by criticism.

However much the politician may sneer, however free he may be with his epithets of "extreme," "impracticable," "visionary," "fool reformer," they who are fighting against fraud in high places and low, against loose methods of business that are sapping the moral strength and weakening the moral fibre of the nation, are the ones to whom we must look for the nation's salvation. Let us, the citizens of Wisconsin, with whom it rests to make her lead or follow, not those of us alone who are hostile to reform, but those who are indifferent, ask ourselves this question: Shall we run the old evil race, the end of which is ruin, or shall we take our stand on that side on Which God and God's justice is and which, though often defeated, is never cast down? I know the conflicting motives which draw

men here and there. I recognize the contest between the demands of a conservative patriotism and radical reform. I feel how difficult it is to hit the happy medium of perfect wisdom. But if we must err at all, if we must lean too much on the one side or the other, let us err on virtue's side. Let us be able at the last to vindicate ourselves as did Edmund Burke before the electors of Bristol, when he said: "The charges against me have been all of one kind, that I have pushed the general principles of justice too far, farther than a cautious policy would warrant, and farther than the opinion of many would go along with me. In every accident which may happen through life, in pain, in sorrow, in depression and distress, I will call to mind this accusation and be comforted."

THE TOASTMASTER: Inasmuch as Professor Zeublin received a dispatch just before the banquet, calling him away, the last speaker of the evening, whose speeches on previous occasions in Milwaukee have been so delightful, and whom it is really unnecessary for me to introduce to you, will be Mr. Frederick W. Holls, who will address you, not upon "Woman and Municipal Reform," but upon a different topic.

MR. HOLLS: I had fondly indulged the hope that the lateness of the hour and the obvious fact that each one of the preceding speakers has said several good things, which I ought to have said myself, would have induced the honorable toastmaster to excuse me, together with the other gentleman of whom he has just spoken; but, as this seems to be out of the question, I wish first to explain that my reluctance to answer to the toast: "Woman and Municipal Reform," and my request that another subject, "The International Aspect of Municipal Reform," should be substituted, was most decidedly *not* based upon any disapproval of or hostility to either of the subjects named in the toast originally assigned to me. I am aware that we are in the midst of a Presidential campaign, and I know that a party is sometimes held responsible for the utterances even of its most insignificant members, but with a boldness bordering upon rashness I frankly and straightforwardly declare that I do approve of both woman *and* municipal reform—be the consequences what they may. [Applause and laughter.] While I prefer them separately, I even approve of the mixture provided it is well seasoned and not offered in cloying doses. Furthermore, I have not preferred the toast on the "International Aspect of Municipal Reform" because I thought thus to exclude the feminine element. I am fully aware, as are you all, that the ennobling, elevating and sweetening power of woman in public life has for years and most recently been illustrated by the career of a venerable lady, whose name is a household word in her own world-wide empire, as well as among other nations of the earth. It is needless to say that I refer to Her Most Gracious Majesty, the Empress Dowager of China. [Laughter and applause.] At this late hour I hope you will excuse me from pronouncing that household word. [Laughter.]

Never again can the cause of woman's suffrage or woman's rights or of the inspiring influence of feminine grace and beauty upon the coarse and

brutal politics of the male sex be discussed, without reference to Her August example.

At the same time I beg to make a diplomatic reservation on the subject of Her Majesty's grace and beauty, until the evidence becomes a little less contradictory. Judging from the pictures which I have seen, Her Majesty has presented a different angle of enchantment to each kodak fiend who has had the privilege of approaching Her August presence sufficiently near to press the winsome button. [Laughter and applause.] Some of her portraits represent Her Majesty as broad and hazy, others again show her to be willowy, not to say wiry, in extent. However, there is one thing sure, and that is that her affection for reformers of every kind seems to have been kept strictly within the limits of propriety. [Laughter.] In fact, it does not seem to differ greatly from the feelings of the average city boss. As municipal reformers we may well allow our imaginations to fondly play with the idea that some gladsome goddess like Her delectable Majesty may perhaps some day, under the dispensation of equal rights for women, enter Tammany Hall. [Applause.] By virtue of her genius for reform and management she would inevitably become the boss of the entire establishment, and it hardly seems too much to hope that she might then extend her tender but drastic measures to all the rest of the outfit, and perhaps to both machines of the city. [Applause.]

But, I forget that I have changed my mind on the subject of my speech and intend to speak to you on the "International Aspect of Municipal Reform." For, ladies and gentlemen, there is an international aspect of the serious and important cause which has brought us together here. If there is one feature of the policy of the last few years in this country upon which even those who disagree upon its other features may cordially unite in approval, it is this, that we have lost the old feeling that we cared little or nothing for the opinion of the rest of the world—that feeling which found its classical expression in the debate on Inflation twenty-eight years ago, when I think a statesman from Indiana or Illinois made the celebrated remark, "What do we care for Yurrup anyway?" [Laughter.] This state of mind has, fortunately, given way to a sober feeling of regard for the best opinion of the rest of mankind. America has asserted herself as a member of the family of nations in a more direct and important way than ever before.

It was my privilege to be present at a time when perhaps this fact was more directly manifested than at any other. I mean during the great Peace Conference at The Hague, and there was just one fact which was continually impressed upon every representative of this country there, and upon every casual observer who took the trouble to get the opinion of the rest of the world as it was there represented, and that is, that the consideration of our city governments represents the lowest point in the respect of the rest of the world for the United States of America. The agreement is almost universal that democracy and popular government have come nearest to failure on this one subject.

I agree with my learned friend, Professor Goodnow, that our municipal governments are not by any means as bad as we sometimes think in our moments of depression, but it must be admitted that the rest of the world sees only its worst features, and we in this League and all of you ladies and gentlemen whose sympathy and co-operation with this League constitutes its greatest reason for encouragement, may be sure that we are, all of us, working for the good name of our common country more directly and efficiently than in any other way when we help to elevate the standard of its municipal government.

There is still another point where the international relations of the United States are affected by our municipal reform. Our cities are not only great aggregations of population, but, as we all know, they bring together the most heterogeneous elements. It is in our cities and with the local organizations of political parties in them that the class representing particular nationalities finds it easiest to start agitations affecting our foreign policy in a manner which is certainly not to the advantage of the country as a whole. It is in our municipal politics that the Clan-na-Gael and societies of other particular nationalities—I don't wish to mention them here particularly, and I name one only as a type—are formed for the purpose, among others, of influencing the foreign policy of the United States in favor, not of the broad and wide interests of the whole people, but of the rancor, the revenge and the hatred of some elements of our population. It is not in the country or in villages, but in the most densely populated wards of our cities, that the Mafia, the evil anarchistic conspiracies, and similar dangers, not only to our national, but also to our international life have their origin and their place of activity. In these respects and in many others our city life and the reform of its administration touch upon our international relations directly and indirectly, and as our international intercourse is becoming admittedly more and more important and will become so from day to day, and we, who are interested in municipal reform also feel that, as I have said before, we are helping along the best national and international interests of our country directly and efficiently by our particular work. And what is there for us to do? What moral is to be drawn from it all? As the other speakers have said, much better than I can express it, it is continued energy, and, above all, patience. Gratitude for the results accomplished—patience with the slowness and the length of time which is necessary to mature what must after all be a gradual growth, rather than the result of sudden impulses.

Now, ladies and gentlemen, this League and its friends have shown in their whole career that they possess the necessary energy, and, Mr. Toastmaster, ladies and gentlemen, this brilliant and distinguished audience has certainly shown that it possesses the necessary patience, for you have listened most kindly to the whole of my speech. I thank you most sincerely. [Applause.]

TOASTMASTER: On behalf of my friends, ladies and gentlemen, I bid you all good-night.

Adjourned.

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